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# ACTS

OF THE

## General Assembly

OF

## NEWFOUNDLAND

## 1930.





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Statutes  
Nfld

Newfoundland Statute  
--- Statutes of Newfoundland

# ACTS

OF THE

## General Assembly

OF

## NEWFOUNDLAND:

PASSED IN THE TWENTY-FIRST YEAR OF THE  
REIGN OF HIS MAJESTY KING GEORGE V.

By His Excellency Sir John Middleton, Knight Commander of the Most  
Excellent Order of the British Empire, Companion of the Most  
Distinguished Order of Saint Michael and St. George, Governor  
and Commander-in-Chief in and over the Colony of Newfoundland.

1930



ST. JOHN'S, NEWFOUNDLAND  
David R. Thistle, King's Printer  
1930.

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## NEWFOUNDLAND



ANNO VICESIMOPRIMO

GEORGII V. REGIS.

## CAP. I.

*An Act in Relation to the Raising of a Loan on the Credit  
of the Colony for Certain Public Purposes*

(Passed July 14, 1930)

## SECTION

- 1.—Authority to raise Loan of \$5,000,000.
- 2.—Application of said Loan.
- 3.—Expenditure of Loan for specific purposes
- 4.—Power of Governor in Council in relation to Loan.
- 5.—Respecting any stock issued.

## SECTION

- 6.—Exemptions from taxation.
- 7.—Alternative authority to obtain Loan in sterling.
- 8.—Application of Colonial Stock Act.
- 9.—Respecting issue of Bonds.
- 10.—Authority to exchange Bonds.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

Authority to  
raise Loan  
of \$5,000,000.

1. The Governor-in-Council shall have power to raise upon the credit of the Colony a Loan not exceeding the sum of Five Million Dollars (\$5,000,000) which sum, together with interest thereon at a rate not exceeding five per centum per annum; payable half-yearly on the first days of January and July in each year, shall be chargeable upon and repayable out of the Funds of the Colony in the manner hereinafter provided, on or before the 30th day of June, One Thousand Nine Hundred and Fifty-five.

Application of  
said Loan.

2. The proceeds of the said Loan shall be applied to the following purposes:—

(a) The redemption of the Debenture Bonds issued under the Act 5 Edward VII., Chapter 1 (Loan Act, 1905) .....	\$2,885,000.00
(b) The acquisition by the Colony of or the payment off of the bonds of Newfoundland Hotel Facilities, Limited, guaranteed by the Colony under the Act 17 George V., Chapter 6; or alternatively to the purchase of the properties mortgaged by Newfoundland Hotel Facilities, Limited, to secure the said bonds, at any sale which may be carried out by the Trustee for Debenture Holders or by the Court in any proceedings; and expenses in connection with any of the same .....	500,000.00
(c) Deficit on Newfoundland Railway Current Account 1929-30 .....	375,000.00
(d) General purposes of the Newfoundland Railway .....	120,000.00
(e) General purposes of the Colony..	1,000,000.00
(f) Cost of raising Loan.....	120,000.00
	<hr/>
	\$5,000,000.00

3. No part of the above sum shall be expended for any purpose save for such purposes within the terms of the preceding section and for such amount in relation to each of such purposes as shall be determined from time to time by Order of the Governor-in-Council.

4. Subject, as hereinbefore provided with regard to the amount of the said Loan, to the maximum rate of interest payable thereon, to the time of payment of such interest, to the assets chargeable with the said Loan and interest thereon and to the time within which such Loan shall be repayable the Governor-in-Council shall have and may exercise all such powers as shall be necessary or proper for conducting all business connected with:

- (a) the raising of the said Loan, including the price and terms of securities therefor;
- (b) the management of such securities and the payment of dividends or interest thereon; and
- (c) the making of proper provision for the repayment of the said Loan in accordance with the laws of any country or countries in which such Loan or any part thereof may be raised.

5. Any stock issued in accordance with this Act may, with the consent of the holders of the stock issued under the provisions of the Act 58 Victoria (1895), Chapter 13, be made available for the sinking fund connected with that issue.

6. The obligations represented by Securities of the Colony, issued in accordance with this Bill, and all payments in discharge thereof shall be exempt from all present and future taxes imposed by the Legislature, including any Newfoundland Income Tax, and the payment of interest and principal thereof shall be made in time of war as well as of peace.



Alternative  
authority to  
obtain Loan  
in Sterling

7. For the purpose of carrying out the provisions of this Act the Governor-in-Council shall have power to raise instead of the above mentioned sum in dollars, an equivalent amount in sterling money of Great Britain, calculated at the rate of exchange of four dollars and eighty-six and two-third cents to the pound sterling.

Application of  
Colonial Stock  
Act.

8. In the event of the Loan being raised in Great Britain, the said Loan shall be raised by the issue of Bonds or Stock in accordance with the Acts of Parliament of the United Kingdom entitled "The Colonial Stocks Acts, 1877 to 1900," and the Governor-in-Council shall, under the Seal of the Colony, authorize some person in the United Kingdom to make the declaration respecting such Stock required by the first section of the Colonial Stock Act, 1877.

Respecting  
issue of  
Bonds.

9. The Bonds to be issued under this Act shall be signed by the Minister of Finance and Customs and the Colonial Secretary holding office at the time of the issue thereof.

Authority to  
exchange  
Bonds.

10. It shall be lawful for the Minister of Finance and Customs to issue any bond executed under this Act to any person who shall deliver up to him against the same any bond of equal face value forming part of the issue made under the Act 5, Edward VII., Chapter 1 (Loan Act, 1905) and repayable on the 30th day of June, 1930,

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## CAP. II.

*An Act in Relation to the Amendment of the Act 19 George V., Chapter 18, Entitled "An Act Relating to the Raising of a Loan on the Credit of the Colony for Certain Public Purposes."*

(Passed July 14, 1930).

SECTION 1.—Reappropriation of certain  
moneys under 19 Geo. V.,  
Cap. 18.

Whereas under Section 3 of the Act 19 George V., Chapter 18, entitled "An Act relating to the raising of a Loan on the Credit of the Colony for Certain Public Purposes," the sum of \$500,000.00 out of the Loan raised by the said Act was appropriated towards the cost of building diversion of Newfoundland Railway from Millertown Junction to Howley via Buchans River, including any necessary re-railing;

And Whereas the undertaking of constructing the said diversion has been abandoned;

And Whereas there remains out of the said appropriation of \$500,000.00 an unexpended balance of \$460,000.00.

**BE** it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. That notwithstanding the terms of Section 3 of the Act 19 George V., Chapter 18, entitled "An Act relating to the raising of a Loan on the Credit of the Colony for Certain Public Purposes," it shall be lawful for the Governor in Council to expend the said sum of \$460,000.00 remaining as aforesaid for the following public purposes, namely:

- (a) Specific purpose of the Newfoundland Railway,  
viz:—

Reconstruction of Crabbe's Bridge..\$	75 000.00
Freight Shed Extension, St. George's	2,000.00
Section Foreman's House, Notre	
Dame Junction .....	1,500.00
25 Box Cars.....	62,500.00
	<hr/>
	\$141,000.00

- (b) General purposes of the Newfoundland Railway as may be directed by  
the Governor in Council ..... 319,000.00
- 
- \$460,000.00



## CAP. III.

*An Act in Relation to an Amendment of the Act 18 Geo. V., Chapter 18, Entitled "An Act for the Raising of a Sum of Money on the Credit of the Colony for Certain Public Purposes."*

(Passed July 14, 1930).

SECTION 1.—Reappropriation of certain  
moneys under 18 Geo V.,  
Cap. 18.

Whereas in and by the Act 18 George V., Chapter 18, entitled "An Act for the Raising of a Sum of Money on the Credit of the Colony for Certain Public Purposes, the following appropriations were made of certain of the moneys to be raised under the said Act, namely :—

Expenses Labrador Boundary.....	\$100,000.00
Survey Labrador Territory.....	\$200,000.00

And Whereas all legal proceedings in connection with the settlement of the Labrador Boundary question are now completed and paid for;

And Whereas it has been deemed expedient to defer the survey of the Labrador Territory; and there remains a balance of about \$201,674.23 out of the said appropriations.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Notwithstanding anything in the Act 18 Geo. V., Reappropria-  
Cap. 18, contained it shall be lawful for the balance of tion of certain  
money remaining out of the two appropriations herein-18 Geo. V.,  
before mentioned to be transferred to and used for ex- Cap. 18.  
penses in connection with the construction and improve-  
ment of a highroad from Whitbourne towards Terence-  
ville in Fortune Bay.

## CAP. IV.

*An Act in Relation to the Amendment of the Act 19 George V., Chapter 17, Entitled "An Act Relating to the Disposition of Balances Remaining Out of the Loan Raised Under the Act 18 Geo. V., Chapter 18."*

(Passed July 14, 1930).

SECTION 1.—Reappropriation of certain moneys under 19 Geo. V., Cap. 17.

Whereas under the Act 18 George V., Chapter 18, entitled "An Act for the raising of a sum of money on the credit of the Colony for certain Public Purposes," the sum of \$750,000.00 out of the loan raised under the said Act was appropriated for the purpose of "Gander Railway,"

And Whereas by the Act 19 George V., Chapter 17, entitled "An Act relating to the Disposition of Balances remaining out of the Loan raised under the Act 18 George V., Chapter 18," it was declared to be lawful for the Governor in Council to appropriate the said sum towards the cost of diverting the main line of the Newfoundland Railway between Millertown Junction and Howley to a new route by way of Buchans River including necessary re-railing on any remaining parts of the existing line.

And Whereas the undertaking for diverting the main line aforesaid has been abandoned.

And Whereas there remains out of the said appropriation an unexpended balance of \$460,000.00.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Notwithstanding the provisions of Section 1 of the Act 19 Geo. V., Chapter 17, entitled “An Act relating to the Disposition of Balances remaining out of the Loan raised under the Act 18 George V., Chapter 18,” it shall be lawful for the Governor in Council to expend the balance of \$460,000.00 remaining out of the sum of \$750,000.00 therein referred to for the following purposes, viz:

- (a) To retire a temporary loan raised in the year 1929 towards the construction and improvements of highroads from Whitbourne in the direction of Terenceville in Fortune Bay...\$200,000.00

Purposes of the Newfoundland Railway,  
viz:—

Two sleeping cars and one dining car .....	110,000.00
Towards the cost of machine shops, cranes, equipment, etc. ....	130,000.00
Gravity Water Service, Millertown Junction .....	5,000.00
Masonry for new bridges.....	5,000.00
New sidings .....	4,000.00
Freight Shed extension at Spaniard's Bay .....	1,000.00
Balance on two new locomotives....	5,000.00
	<hr/>
	\$460,000.00

## CAP. V.

*An Act in Relation to a Contract Between the Government  
and the Dominion Iron and Steel Co., Ltd., and  
the Nova Scotia Steel and Coal Co., Ltd.*

(Passed July 14, 1930)

## SECTION—

- 1.—Confirmation of Agreement.
- 2.—Addition of sub-clause (a) of Clause 4 of Agreement.

## SECTION—

- 3.—Addition to Clause 5 of Agreement.
- 4.—Repeal Agreement.

**BE** it Enacted by the Governor, the Legislative Council  
and House of Assembly, in Legislative Session convened,  
as follows:—

Confirmation of  
Agreement.

1. The Agreement made between His Excellency Sir John Middleton, K.B.E., C.M.G., Governor of the Island of Newfoundland and its Dependencies in Council of the one part, and The Dominion Iron and Steel Company Limited, and The Nova Scotia Steel and Coal Company, Limited, of the other part, dated the 9th day of July, A.D. 1929, and forming the Schedule to this Act is hereby approved, confirmed and adopted, and all and singular the several clauses and provisions thereof are hereby declared to be valid and binding upon the said parties thereto and each of them respectively, and to have the force and effect of law, and all and singular the several acts, matters and things therein provided to be done or performed by or on the part of the parties respectively are hereby declared to be proper and lawful, and the parties and each of them shall have full power and authority from time to time to do and perform or omit to do and perform all and singular the several acts, matters and things in and by the said Agreement provided to be done or not to be done, as the case may be, in the manner and with the effect and under the conditions stipulated and provided in the said Agreement.



2. The following shall be deemed to be inserted in the said Agreement as sub-clause (a) of clause 4 thereof, and shall be read as part thereof.

Addition of  
sub-clause (a)  
of Clause 4 of  
Agreement.

4. (a) On spare parts and articles and materials required for renewals, replacements and repairs in connection with the Companies' equipment for the mining, transportation and shipping of ore and the generation of power for purposes in connection therewith, imported into the Colony, the Companies shall pay such import duties as shall be in force from time to time under the general laws of the Colony, **provided** that in no case shall the rate of duty collected in respect of any such importation exceed twenty-five per cent. of the value thereof, and that Sales Tax shall not be charged upon the spare parts, articles and materials referred to in this sub-clause 4 (a).

3. Clause 5 of the Agreement forming the Schedule to this Act shall be read as if there were added thereto the words "or by such Department or Municipal or local governing body as shall from time to time have the charge of roads on Bell Island."

Addition to  
Clause 5 of  
Agreement.

4. The Act 12 Geo. V., Chapter 10 is hereby repealed.

Repeal.

## SCHEDULE

This Agreement made at St. John's in the Island of

(Sgd.)	Newfoundland, this ninth day
J. Middleton,	of July, A.D. 1929, between
Governor.	His Excellency Sir John Middle-
(L.S.)	ton, K.B.E., C.M.G., Governor
	of the Island of Newfoundland
	and its Dependencies in Council

(Sgd.)	(hereinafter called "the Gov-
Richard A. Squires,	ernment," ) of the first part, and
H. M. Attorney General.	The Dominion Iron and Steel

Company, Limited, its successors and Assigns and The Nova Scotia Steel and Coal Company, Limited, its successors and assigns, both said Companies being Owners and Occupiers of land and iron ore deposits at and in the vicinity of Bell Island, Newfoundland (hereinafter called "the Companies'") of the other part.

WITNESSETH:

1. The Companies agree to pay by way of export tax in each year during the period of twenty years commencing on the first day of January, 1930, and ending on the thirty-first day of December, 1949, the following sums in respect of the combined total of their exports of iron ore from Bell Island deposits, that is to say:

- (a) On the first one million (1,000,000) tons of iron ore or part thereof exported by said companies during any one year, ten cents per ton.
- (b) On the iron ore exported by the Companies during one year in excess of one million (1,000,000) tons and not exceeding a further five hundred thousand (500,000) tons the sum of three cents per ton.

2. The Government agrees that if any year during the said period of twenty years the combined total of the iron ore exports of the Companies from the said deposits shall exceed one million, five hundred thousand (1,500,000) tons no export tax shall be payable by the Companies in respect of such excess.

3. The Government agrees that save as hereinafter provided no other tax or impost of any kind or description

whatsoever shall be levied or imposed during the said period of twenty years upon or against the said Companies other Assets.

The Government agrees that during the said period of twenty years the Companies shall be permitted to import free from Customs Duties coal, explosives, and such equipment (not including hand tools) as shall be used exclusively in the mining, transportation and shipping of ore and the generation of power in connection therewith.

5. In addition to the payments hereinbefore specified the Companies shall pay on or before the thirty-first day of July in each year during the continuance of this Agreement the sum of Four Thousand (\$4,000) dollars to the Department of Finance and Customs for the purposes of public road maintenance and extension on Bell Island by the Highroads Commission.

6. If at any time hereafter during the continuance of this Agreement local taxes are imposed by any local board or Municipal authority having jurisdiction over the Electoral District of Bell Island pursuant to powers granted by Legislature, the total amount of taxation to be imposed upon the Companies shall not exceed an aggregate of Ten Thousand (\$10,000) Dollars in any one year.

7. The Companies agree that the payments provided for in paragraph one hereof shall be paid half-yearly as follows: The tax due in respect of shipments made between the first day of January and the thirtieth day of June both inclusive in any year shall be paid on or before the thirty-first day of July in that year; and, the tax due in respect of shipments made between the first day of July and the thirty-first day of December both inclusive in any year shall be paid on or before the thirty-first day of January next following.

8. The Companies shall notwithstanding the provisions of this Agreement be subject to all legislation of general application now in force or which may hereafter be in force in the Colony, save and except that nothing herein contained shall render the Companies liable to pay any tax upon income or profits or any export tax save as hereinbefore in paragraph one hereof provided.

9. This Agreement and everything herein contained shall enure to the benefit of and be binding upon the Companies, their respective successors or assigns, or any Company or Companies, with which they or either of them may be merged or into which they or either of them may be absorbed or amalgamated.

10. The Companies hereby agree that they will provide at Sydney, North Sydney or Louisburg in the Province of Nova Scotia for sale and shipment to Newfoundland a sufficient quantity of coal to meet the requirements of the operation of the Newfoundland Railway, including steamers and docks by whomsoever operated, and the domestic requirements of Newfoundland including manufacturing plants requiring not more than Three Thousand (3,000) tons in any one year, and will accept in payment therefor the free-on-board prices per ton current from time to time on coal of similar quality sold for shipment to Nova Scotia ports: Provided, however, that the provisions of this clause as to price shall not apply to coal supplied pursuant to a contract extending over a period of more than twelve months, and provided also that the Companies shall not be bound to provide any requirement of the Newfoundland Railway unless notice of such requirement in writing has been posted to the Companies by registered mail at least three months before the date upon which delivery of the same is required by the purchaser.

11. In this Agreement a ton shall mean a long ton of two thousand two hundred and forty (2,240) pounds.



12. It is understood and agreed that the provisions of this Agreement shall apply as between the Companies and the Government during the Calendar year 1929.

13. All previous Agreements between the parties hereto are hereby cancelled as from the first day of January A.D. 1929, and in particular but not so as to restrict the generality of the foregoing all rights and interests acquired by the Companies or either of them under or by virtue of the provisions of the Act 12 George V. Chapter 10, are hereby declared to be null and void.

14. This Agreement is subject to ratification by the Legislature.

IN WITNESS WHEREOF His Excellency the Governor-in-Council has caused the Great Seal of the Colony of Newfoundland to be set hereunto and has signed these presents, and the Companies have caused their Common Seals to be affixed hereunto and these presents to be signed by their Directors thereunto duly authorized.

By His Excellency's Command,

Sgd.) A. BARNES,  
Colonial Secretary.

(L.S.)

THE DOMINION IRON & STEEL COMPANY, LTD.,

(Sgd.) C. B. McNAUGHT, Director.

(Sgd.) C. S. CAMERON, Director.

(L.S.)

(Sgd.) W. L. MURRAY,

THE NOVA SCOTIA STEEL & COAL COMPANY, LTD.

(Sgd.) C. B. McNAUGHT, Director.

(Sgd.) C. S. CAMERON, Director.

(L.S.)

(Sgd.) W. L. MURRAY.

## CAP. VI.

*An Act in Relation to an Agreement With Great-Lakes  
Newfoundland Atlantic Company, Ltd.*

Passed July 14, 1930)

## SECTION

- 1.—Meaning of Company.”  
“Port.”
- 2.—Provision for Grant of Land.
- 3.—Provision for grant of water powers.
- 4.—Provision for subsidy.
- 5.—Provision for Railway.
- 6.—Exclusive concessions for two years.
7. Respecting rights of way.
- 8.—Compensation for land taken; arbitration.
- 9.—Respecting arbitrations.
- 10.—Exclusive concessions in certain events.
- 11.—Free port.

## SECTION—

- 12.—Harbour Board for the Port.
- 13.—Respecting Harbor dues, &c
- 14.—Annual payments to Treasury.
- 15.—Two Directors to be nominated by Governor-in-Council.
- 16.—Freedom from Duties.
- 17.—Forfeiture of lands and water powers in certain events.
- 18.—Concessions assignable with approval of Governor-in-Council.
- 19.—Operation of Act; Proclamation

WHEREAS Great-Lakes Newfoundland Atlantic Company, Limited, a Company incorporated under the laws of the Colony and having its registered office at St. John's, proposes to establish a steamship line to carry freight between the Great Lakes and a port at Mortier Bay in the District of Burin East and to use the said port as a transfer point for the transshipment of all classes of goods to and from the Great Lakes, Europe, the West Indies and the Atlantic seaboard of North and South America, to carry or cause to be carried from Newfoundland and to the Great Lakes chilled, frozen and cured fish, paper and pulp, and other Newfoundland products, and to establish at the said Port the necessary connections with existing Atlantic steamship lines;

**BE** it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—

A

Meaning of  
"Company."

1. In this Act, unless the context otherwise requires: "Company" shall mean Great-Lakes Newfoundland Atlantic Company, Limited, and its Assigns.

Port.

"Port" shall mean the harbour and terminal facilities to be established by the Company at Mortier Bay.

Provision for  
grant of land.

2. If within one year from the passing of this Act or such further period as the Governor-in-Council may agree to, the Company shall to the satisfaction of the Governor-in-Council prove the execution by it of bona fide contracts for the expenditure within one year from the date of such contracts of not less than one hundred thousand dollars (\$100,000.00) for the construction of wharves, warehouses, cold storage plants or any other terminal facilities at the Port, there shall be granted to the Company in fee simple ALL THAT the land at present belonging to and in the possession of the Crown and bounded by a line commencing at the Western point of Mooring Cove and running thence North thirty degrees West twelve miles, thence North sixty degrees East four and one quarter miles, thence South thirty degrees East eleven miles to the seashore at Jean de Bay, and thence by the seashore to the place of commencement, all bearings true Meridan, together with certain foreshore and riparian rights therein which the Crown now has and together with all mineral rights therein; provided that the foreshore and riparian rights to be acquired by the Company shall not extend beyond the actual requirements of the port and of the Company's operations for the purposes of this Act and that the limits of such requirements shall be specified by the Company within two years from the passing of this Act and shall be included in the survey hereinafter provided for; and provided that if any minerals shall be found and worked therein, ten per cent. of the nett yearly profits accruing from the working of such minerals shall be paid the Minister of Finance for the use of the Colony. For the purpose of such payment annual accounts shall be furnished to the Auditor General and his decision as to what may prop-



erly be considered nett profits shall be final. If within one year after the date of such grant or such further period as the Governor-in-Council may agree to the said sum of \$100,000.00 shall not have been expended as aforesaid the grant of the said lands shall become null and void and the same shall revert to the Crown. The said lands shall before two years from the passing of this Act be surveyed by the Department of Agriculture and Mines at the cost and charges of the Company. The plan of such survey shall exclude the existing rights of all persons whether by grant, prescription, purchase or occupation, together with the rights of way to and from any lands at present so held and also a reservation of half a mile around all existing settlements, except at those points in Mortier Bay where the Company's port is to be established, in the case of which the Governor-in-Council may dispense with the said reservation; and such plan upon completion shall be signed by the Minister of Agriculture and Mines and the President of the Company and deposited in the office of the Colonial Secretary and shall be final as delimiting the area of the lands so granted, as if the same were a part of this Act.

Provided, however, that the Minister of Agriculture and Mines shall have the right at any time to enter and take from the area hereinbefore described any land required for the purposes of public roads and highways.

3. If the Company shall expend the said sum of \$100,000.00 as provided in the foregoing section there shall be <sup>grant of</sup> ~~Provision for~~ water powers. granted to the Company, subject to existing rights, the right to use the waters of any river or rivers in the Burin Peninsula which it may select within two years from the date hereof for hydro-electric development for the supply of power to and at the said Port free of all rent royalties and charges; provided that such water-power rights shall be subject to cancellation by the Governor-in-Council if the same are not fully developed within five years from the date of grant.

4. Upon the installation at the Port or elsewhere upon

the South Coast by the Company of a cold storage plant with a capacity of not less than three hundred tons, or upon the installation of cold storage holds with a capacity of not less than fifty tons in not less than three steamships plying in the Company's service to the Great Lakes, there shall be paid to the Company for ten years from the date of such installation a subsidy of one-half cent ( $\frac{1}{2}c.$ ) per pound of fish other than cod, halibut or nerring exported in good condition from the Company's said plant or in its said holds upon conditions identical with and as if the same were governed by the provisions of Act 8 Geo. V. (1917), Cap. 30, and such sum shall be paid to the Company as well for fish purchased by them as for fish the property of others warehoused or carried by them in their ships.

Provision for  
railway.

5. The Company shall have the right at any time after the expenditure of the said \$100,000.00 to construct and operate a railway of about eight miles across the Isthmus of Avalon from Arnold's Cove to Bull Arm, along the route already surveyed, a plan of which has already been deposited with the Minister of Agriculture and Mines.

Exclusive  
concessions for  
two years.

6. For the period of two years from the passing of this Act no concessions similar to those herein contained shall be granted to any person or corporation other than the Company by Order in Council or otherwise.

Respecting  
rights of way.

7. If at any time the Company is desirous of acquiring lands incident to flowage rights or rights of way for telegraphs, telephones, power transmission lines, railways (including the railway authorized in Section 5 hereof) tramways or roads, or sites for mills, works, factories or town-sites, or for wharves, piers, warehouse, docks or other ship-facilities in connection with the Company's operations for the purpose aforesaid on the Burin Peninsula, such lands belonging to and being in possession of the Crown, the same may in the discretion of the Governor-in-Council be granted to the Company in fee simple at Thirty cents per acre upon request.

8. If the Company shall at any time or times be desir-<sup>Compensation</sup>ous of acquiring any land other than land in the owner-<sup>for land taken;</sup>ship and possession of the Crown for the works or purposes<sup>Arbitration.</sup> in the next preceding section stated and shall be unable to agree with the Owners or Occupiers of such land or lands as to the purchase money or compensation to be paid therefor, the Company shall subject to the consent of the Governor in Council have the right to expropriate and acquire any such land or lands, and the purchase money or compensation to be paid to the Owners or Occupiers of any such land or lands shall be settled by Arbitration in manner hereinafter provided. Upon the payment or tender by the Company to the Owners or Occupiers of any such land or lands of such purchase money or compensation as may be settled as aforesaid the Company shall have the right to enter upon and take possession of such land or lands which shall thereupon become the absolute and indefeasible property of the Company. In estimating the amount of compensation to be awarded, any additional value occasioned by the actual or projected operations of the Company shall not be taken into consideration, provided that compensation for disturbance to the extent of 50% of the actual value of the said lands may be allowed in the case of persons bona fide resident upon the said lands at the time of the passing of this Act or claiming by descent from such bona fide residents, but not otherwise.

9. In every such Arbitration each party shall appoint<sup>Respecting</sup> one Arbitrator, and the two so appointed shall appoint a<sup>Arbitrations.</sup> third. If either party fails to appoint an Arbitrator after 'twenty-one clear days' notice to do so, the other party may apply to the Supreme Court or a Judge thereof, who shall after due notice to the party in default, appoint such Arbitrator. If the Arbitrators fail to appoint a third Arbitrator after seven clear days, the Supreme Court or a Judge thereof shall on application of either party appoint such third Arbitrator. The award of the Arbitrators, or a majority of them shall be final and binding on both parties, subject to appeal to the Supreme Court within ten days after the award. The provisions of the Judicature Act

shall apply to every such arbitration except where otherwise herein specifically provided.

Exclusive  
concessions in  
certain events.

10. If within three years from the passing of this Act or such further period as the Governor in Council may agree to the Company shall expend upon the construction work in the area hereby granted for the purposes mentioned in Clause 2 hereof together with necessary town construction a total sum of not less than Five hundred thousand dollars (\$500,000.00), no concessions similar to those herein contained shall be granted to any person or Corporation other than the Company for fifteen years from the expiration of such period except in the contingency hereinafter provided for.

Free Port.

11. For a period of Twenty years after the expenditure by the Company of \$100,000.00 provided in Section 2 hereof, the Port shall be constituted a free Port. No Customs shall be levied upon, nor shall any Customs restrictions, conditions or formalities apply to or be imposed upon any goods while in transit through the said Port; and to encourage the manufacture for export of goods in bond, entry shall be allowed within a sufficient area adjacent to the Port (to be delimited by agreement between the Minister of Finance and Customs and the Company) of all raw materials required for such manufacture, free from all duty and customs restrictions, conditions and formalities.

Harbour  
Board for  
the Port.

12. There shall be a Harbour Board for the Port consisting of three members of whom two shall be appointed by the Governor in Council (one with a term of office at least one year longer than the other) and the third by the Company. The said Board shall have control and management of the Harbour of the Port and its approaches and the shipping therein; shall have power to make such regulations including compulsory pilotage regulations, as it may deem necessary or expedient; shall appoint a Harbour Master and other necessary employees; shall impose and collect such rates and dues upon all vessels using the Port and their cargo as it may deem advisable; and shall expend all



sums so collected: (a) in meeting the annual interest and sinking fund payments upon any bonds or debentures which shall be charged upon the terminal facilities of the Port; (b) in payment of its members and employees; (c) in the upkeep and maintenance of the said terminal facilities and (d) in improvements of and additions to the same. If the rates and dues so collected shall in any year be insufficient for the payment of the items (a) and (b) above stated the Company shall be immediately liable for the same. Nothing in this Section shall be construed so as to limit or affect the title of the Company to the lands to be granted under Section 2 hereof or to the terminal facilities to be erected thereon.

13. Except as provided in the foregoing Section, no <sup>Respecting</sup>harbour or light dues or compulsory pilotage charges shall <sup>Harbour Dues, &c.</sup>be levied upon shipping for the use of the Port.

14. The Company shall pay to the Treasury annually <sup>Annual</sup>either <sup>payments to Treasury.</sup>

(a) Five dollars per centum (5%) of its nett annual profits as determined by the Auditor General after the payment of its operating expenses and of the annual interest and sinking fund payments on its bond and debenture issues and on any mortgages on its ships, or

(b) The amount payable under any Income Tax law in any year, whichever shall be the greater.

15. The Governor in Council shall be entitled to nominate two persons to be Directors of the Company. <sup>Two Directors to be nominated by Governor-in-Council.</sup>

16. For a period of twenty years after the passing of <sup>Freedom from</sup>this Act, the following Articles, when imported by the Com- <sup>Duties</sup>pany or its subsidiaries for use and used in connection with the enterprise as described in the Preamble hereto, but not for sale, shall upon such certificate to that effect as may be required by the Minister of Finance and Customs be admitted into the Colony free of duty; that is to say:—

- (i) All plant, machinery, implements, apparatus and materials necessary for the original construction and equipment of wharves, warehouses, piers, jetties, sheds, power plants, cold storage plants, town construction (including water and sewerage systems for the general service of such towns, but nothing for installation in or upon any buildings other than the wharves, warehouses, piers, jetties, sheds, power plants, cold storage plants and factories of the Company), transmission lines, railways and factories, and for the extension thereof, but not in substitution for old;

Provided that nothing herein shall be held to apply to:

- (1) Fuel, hand tools, food, clothing; or
- (2) Moveable articles of household furniture for, or of equipment for private houses, staff houses or hotels; or
- (3) Articles intended by the importer for the personal and private Ownership of individuals:
- (4) Lumber of sizes and qualities manufactured in Newfoundland from timber grown in Newfoundland if such timber can be obtained in Newfoundland as and when where and of sizes and qualities required by the Company from time to time; or
- (5) Windows, doors, sashes, mouldings, boats and barges made or constructed of wood of kinds, qualities and sizes manufactured in Newfoundland from Timber grown in Newfoundland if such windows, doors, sashes, mouldings, boats and barges can be obtained in Newfoundland as and when, where and of

qualities and dimensions required by the Company from time to time; or

- (6) Bricks, nails, paints and stoves other than furnaces, for use in town construction of sizes and kinds manufactured in Newfoundland if such bricks, nails, paints and stoves can be obtained in Newfoundland as and when and of the sizes and kinds required by the Company from time to time.

- (ii) Ammonia for refrigerating purposes.

17. Should the Company fail to expend within three years from the passing of this Act (or such further period as may be agreed to by the Governor in Council) the sum of five hundred thousand dollars referred to in Clause 10 hereof, all lands and waterpowers of the Company shall be forfeited to the Crown.

Should it at any time within twenty years from the date of proclamation as provided in Section 19 hereof fail to maintain during two consecutive seasons of open navigation of the St. Lawrence River an average service employing at least five vessels between the Great Lakes and the Port, the concessions herein contained shall be deemed to lapse and may be granted to any other person or corporation.

18. The Company shall be at liberty subject to the approval of the Governor in Council to assign or to hypothecate the whole or any part of the concessions including the lands hereby confirmed to any other Company whether incorporated in Newfoundland or elsewhere.

19. This Act shall come into effect only on the proclamation of the Act by His Excellency the Governor in Council which Proclamation must be made, if at all, before the 30th day of June, 1932.

## CAP. VII.

*An Act Further to Amend the Act 15 George V., (1924) Chapter 2, Entitled "An Act for the Confirmation of an Agreement Between the Government and the Gander Valley Power and Paper Company, Limited."*

(Passed July 14, 1930)

SECTION 1.—Amendment. Extension of  
time for commencement  
of construction.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—*

Amendment.  
Extension of  
time for  
commencement  
of construction.

1. The time for the commencement of construction of the Company's hydro-electric plant mentioned in paragraph 14 of the Agreement between the Governor of Newfoundland in Council and Gander Valley Power and Paper Company, Limited, forming the Schedule to the Act 15 George V. (1924), Chapter 2, as already extended by Section 2 of the Act 18 George V. (1927) Chapter 5, is hereby further extended for a period of one Calendar year from the fifteenth day of September, 1930.

2. Paragraph 15 of the said Agreement is hereby repealed.

CAP. VIII.

An Act to Amend the Tourist Commission Act, 1927

(Passed July 14, 1930).

SECTION

- 1.—Amendment.
- 2.—Repeal.

SECTION

- 3.—Date of Appointment of Commission.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. The Act 18 George V., Cap. 1, entitled “An Act to Amend. Incorporate the Newfoundland Tourist and Publicity Commission and for Obtaining Statistics of Tourist Traffic, and for other purposes,” is hereby amended as follows:—

- (a) By striking out of Section 1 the words “to be appointed every two years” and substituting the words “to be appointed every year.”
- (b) By striking out of Sub-section 2 of Section 1 the words “the term of two years” and substituting the words “the term of one year.”

2. Section 2 of the Act 20 George V., Cap. 5, is hereby Repeal repealed.

3. The present Commission shall go out of office on the 31st day of December, 1930, and the next appointment under Section 1 of the Act 18 George V., Cap. 1, as hereby amended, shall be made as from the first day of January, 1931, and so on every year thereafter.



## CAP. IX.

*An Act Concerning the Public Lighting of Small Towns and Settlements*

(Passed July 14, 1930)

## SECTION—

- 1.—Respecting Electric Lighting areas.
- 2.—Electors may petition Governor-in-Council.
- 3.—Governor-in-Council may proclaim settlements, &c., to be electric lighting areas: Commissioners.
- 4.—Further respecting Commissioners.

## SECTION—

- 5.—Public meeting.
- 6.—Result of public meeting. Powers of Commissioners re poll tax, &c.
- 7.—Non-application to certain towns.
- 8.—Repeal.
- 9.—Short title.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

Respecting  
electric  
lighting areas.

1. The Governor-in-Council may by proclamation declare any town, settlement or area to be an electric lighting area for the purposes of this Act.

Electors may  
petition Govern-  
or-in-Council.

2. It shall be lawful for the duly qualified electors resident in any town or settlement or combination of settlements not at present lighted to present a petition to the Governor-in-Council praying that the said town or settlements or combination of settlements be declared an electric lighting area for the purposes of this Act.

(a) Such petition shall be sent to the nearest resident Stipendiary Magistrate.

(b) If upon scrutiny of such petition the Stipendiary Magistrate shall find that the same contains the bona fide signatures of a majority of the duly qualified electors appearing on the last prepared voters' list and resident within the limits or boundaries of the town, settlement or

combination of settlements as set forth in the said petition, he shall forthwith make a certificate to that effect endorsed upon or attached to the petition and shall forward the petition to the Governor-in-Council.

- (c) Any Stipendiary Magistrate to whom such petition shall be presented may before certifying the same to the Governor in Council as aforesaid require proof to be made before him of the bona fide signature of any of the names subscribed to such petition upon the oath of either the party whose name purports to be signed or of a witness to such signature.

3. Upon receipt of such petition containing the signatures of a majority of the electors resident within such town or settlements, or combination of settlements, the Governor-in-Council may by proclamation declare such town, settlement or combination of settlements or part thereof to be an electric lighting area and any such proclamation shall accurately delimit the boundaries of the area. For every electric lighting area the Governor-in-Council shall appoint two persons who shall be called Lighting Commissioners and whose duty it shall be to make in their official capacity contracts for the electric lighting of the streets and public places of the area or such of them as they may deem expedient. The Governor-in-Council may at any time make appointments to fill vacancies, or may remove any Commissioner.

4. The Commissioners for every area shall forthwith upon their appointment ascertain the cost of obtaining electric lighting of public places within their area, and shall also ascertain the approximate number of qualified electors resident within the area. They shall further calculate the approximate amount of a poll tax levied equally upon all male electors sufficient to defray the cost of such lighting and allowances for expenses to Commissioners and a reasonable margin for incidental expenses, and shall lay

the facts and scheme so arrived at before the Colonial Secretary.

Public  
meeting.

5. If and when such scheme shall have been officially approved by the Colonial Secretary the Commissioners shall call a public meeting of electors at some place within their area, the place, time, period and manner of giving notice of such meeting to be prescribed by the Colonial Secretary, at which meeting the Stipendiary Magistrate for the district shall preside; and the scheme approved by the Colonial Secretary shall be laid before such meeting.

Result of pub-  
lic meeting.  
Powers of  
Commissioners  
re Poll  
Tax &c

6. If it is certified by the presiding officer as a result of a show of hands, or of a poll, if demanded, that a majority of the electors present are in favour of the scheme, such presiding officer shall endorse upon a copy of the scheme that it has been approved at such meeting and thereupon the following consequences shall ensue:

- (a) The Commissioners or either of them shall have power and authority to collect from every registered male elector resident within the electric lighting area in every Calendar year and at any time within such year as may be convenient a poll tax at the rate set forth in the approved scheme.
- (b) The Commissioners shall have power to make contracts with any electric lighting company for the establishment of electric lighting in such places within the area as may be agreed and such contracts shall be binding upon them in their official capacity and upon their successors in office and the cost under such contract shall be paid out of the revenues from the poll tax hereinbefore mentioned provided that such contracts shall be approved by the Colonial Secretary before being executed.
- (c) Every person liable to pay such tax from whom collections shall not be made before the 31st day

of October in any year shall pay such tax on the 31st day of October or the next day, if that be a Sunday, to a Collector appointed by the Commissioners without the necessity of any demand and every person in default after such 31st day of October may be sued for the same in a summary manner by the Commissioners and such tax shall be recoverable as a civil debt due from such taxpayer to the Commissioners.

- (d) The Commissioners shall keep accurate books of accounts and shall issue official receipts to taxpayers upon payment of the tax and the form of all receipts and the like shall be settled or approved by the Colonial Secretary.
- (e) Ten per centum of the tax collected shall be set aside for expenses and may be expended by the Commissioners in the remuneration of the Collector, or Collectors, if any, to be appointed by them, and for the cost of keeping accounts and printing and other incidental expenses and for such remuneration of the Commissioners themselves as the Colonial Secretary shall in writing approve.
- (f) The Commissioners shall keep all moneys arising hereunder in a special bank account.
- (g) All accounts of electric lighting Commissioners shall be subject to the audit of the Comptroller and Auditor General at any time.
- (h) All the proceedings of lighting Commissioners shall be under the control and direction of the Colonial Secretary, who shall have power to disallow any of their proceedings or acts or to give directions supplementary to the same as he may deem fit.

Non-applica-  
tion to certain  
towns.

7. This Act shall not apply to the town of St. John's or any other town which may from time to time be excluded by order of the Governor-in-Council from the operation of this Act.

Repeal.

8. The Act 11 George V. Chapter 41 entitled "An Act to provide for the Lighting of Outport Streets is hereby repealed.

Short title

9. This Act may be cited as "The Small Towns Electric Lighting Act, 1930."



## CAP. X.

*An Act to Amend Chapter 51 of the Consolidated Statutes  
(Third Series) Entitled "Of Nuisances and  
Municipal Regulations."*

(Passed July 14, 1930)

SECTION 1.—Addition to Cap. 51 of Consolidated Statutes.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—

1. The following section is added to Chapter 51 of the Consolidated Statutes (Third Series) entitled "Of Nuisances and Municipal Regulations" as Section 35 thereof: <sup>Addition to</sup> <sup>Cap. 51 of</sup> <sup>Consolidated</sup> <sup>Statutes.</sup>

35(1) If it shall be suspected by any Constable that any common prostitute or night walker or other female has gone or is for immoral purposes on board any steamship or sailing vessel not of Newfoundland Registry lying in any port in this Colony, it shall be lawful for such Constable without a warrant to go on board and search any such steamship or vessel.

(2) Any common prostitute, night walker or other female found on board any such steamship or vessel and not being a passenger or employed on board the ship or a relative of the master or any officer or member of the crew, and not being able to give a satisfactory account of her presence on board shall be deemed a loose and disorderly person within the meaning of this Chapter and may be arrested without warrant and taken before a Stipendiary Magistrate and shall be subject to the penalty mentioned in the tenth section hereof.

- (3) If any female shall be convicted under the preceding sub-section, the master of the ship or vessel in respect of which she was so convicted shall without proof of his knowledge or of complicity in her being on board be liable on summary conviction to a fine not exceeding five hundred dollars; provided that if he shall satisfy the Court that he was not on board at the time when the female was there found and had left some other officer in charge of the ship in his absence, then such other officer and not the master shall without proof of his knowledge or complicity in her being on board be liable on summary conviction to the fine aforesaid.
- (4) It shall be lawful for the convicting magistrate by order to cause the ship to be detained until any fine under sub-section (3) hereof is paid.
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## CAP. XI.

*An Act Relating to the Establishment of a Water and Sewerage System at West Corner Brook*

Passed July 14, 1930.

## SECTION—

- 1.—Authority to establish public water and sewerage system to West Corner Brook Water Co. Ltd. Area of West Corner Brook town defined.
- 2.—Arbitration to determine compensation for land taken.
- 3.—Penalty for using water without consent.
- 4.—Penalty for depredations to works, &c.
- 5.—Annual statement.
- 6.—Respecting transfer of works to Government or Municipal Board.
- 7.—Supply of pure water obligatory on Company.
- 8.—Water rates and assessments to be established by Directors.
9. (1)—Owners of houses to connect with water and sewerage.
- (2) Respecting Churches.
- (3) Water rates in certain cases.
- (4) Rates as between owner and occupier.
- 10.—Appraisers.
- 11.—Books of Appraisement.
- 12.—Collectors: Recovery of rates before Stipendiary Magistrate.

## SECTION—

- 13.—Judgments, &c., to be final.
- 14.—Lawful to construct drains and sewers.
- 15.—Duty of owners to connect with sewers.
16. (1)—Failure to connect with sewers: Penalty.
- (2) Proportions of cost of connecting sewers as between owner and occupier.
- (3) Respecting agreements between owner and lessee.
- 17.—Notice to Company of intention to connect with sewers.
- 18.—Default in payment of rates, &c.
- 19.—Inspector's right of access.
- 20.—Regulations may be made.
- 21.—Construction of cisterns, &c.
- 22.—Interference with officials and servants of Company: Penalty
- 23.—Right to cut off pipes in certain cases.
- 24.—Right of Company to import free of duty.

WHEREAS it is expedient to provide for a system of water supply and sewerage for West Corner Brook.

AND WHEREAS West Corner Brook Water Company, Limited (hereinafter called "the Company") has been incorporated under the laws of Newfoundland for the

purpose of supplying West Corner Brook with water and sewerage.

*BE it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened as follows:—*

Authority to  
establish public  
water and  
sewerage sys-  
tem to West  
Corner Brook  
Water Co. Ltd.

1. It shall be lawful for the West Corner Brook Water Company, Limited, to establish in West Corner Brook as hereinafter defined a public system of water and sewerage and for the said purpose it shall be lawful for the Company to break, dig, and trench the streets, squares, public places and public lands within the said area, or lying between the said area and the source of supply of water or the disposition of sewerage, observing all proper precautions for the safety and convenience of the public and provided that all streets, squares, public places and lands shall at all times after the laying, repair or removal of water or sewerage pipes be restored to their original condition to the satisfaction of such public authority as may for the time being have the control thereof. It shall be lawful for the Company from time to time to enter upon, break, dig, trench and possess and hold as the property of the Company such private lands within the said area or lying between the said area and the source of supply of water or the place of the disposition of sewage as are reasonably necessary for the establishment and maintenance of its water and sewerage system; provided that compensation shall first have been made to the owners or occupiers thereof as hereinafter provided.

West Corner Brook for the purpose of this Act shall be the area defined as follows:—

Area of West  
Corner Brook  
town defined.

Commencing at the point where the Western Boundary of the International Power and Paper Company of Newfoundland Limited's property at Corner Brook crosses the Curling Road, and following that boundary line in a general northerly direction to the shoreline of the Humber Arm, Bay of Islands, and along the shoreline in a westerly

direction to the Brook which passes down Crow Gulch somewhat west of the old Quarry site, thence up the Brook to an elevation 350 feet above mean sea level, and following this contour (level) around the Northerly and Easterly face of the Hill to the Eastern shore of Bell's Brook, thence due East to the Western boundary of the International Power and Paper Company of Newfoundland Limited's property, and following along this boundary in a Northerly direction to the starting point. The said area being more particularly defined in a plan or diagram identified by the signatures of Mr. Speaker and the Clerk of the House of Assembly and of the President and Clerk of the Legislative Council and deposited in the office of the Colonial Secretary, which plan or diagram shall be deemed to form part of this Act.

2. Should the Company be unable to agree with the owner or holder of private lands as to the proper amount of compensation to be paid for any land taken or for any damage done by the Company in carrying out the purposes of this Act, such compensation or damage shall subject to the provisions of the Judicature Act as to arbitrations be determined by Arbitration as follows:

Such owner or holder shall appoint one Arbitrator and the Company another, and such two Arbitrators shall appoint a third, and the award of any two of them, signed by them, after hearing both parties and their witnesses as to such compensation, shall be final. Should either party neglect or refuse, upon being required by the other, to appoint an Arbitrator within ten days after being so required, or should the two Arbitrators when so appointed not agree to the appointment of a third within ten days after their appointment, it shall be lawful for the Supreme Court or any Judge thereof upon the application of either party, to appoint an Arbitrator for the party refusing, omitting or neglecting to make such appointment of such third Arbitrator, and the Arbitrator when so appointed shall have the same power in all respects as if appointed by either party, or by two Arbitrators.



Penalty for  
using water  
without  
consent.

3. If any person shall in any way obtain or use the water of the Company without the consent of its proper Officers, or shall wrongfully waste the same, such offender shall forfeit a sum not exceeding twenty-five dollars, to be recovered with costs in an action at the suit of the Company before a Stipendiary Magistrate: Provided that this section shall not extend to persons taking water from the public fountains hereinafter mentioned, nor to any use of the said water in case of a fire occurring in the said area.

Penalty for  
depredations  
to works, &c.

4. If any person shall wilfully and maliciously put out of order, injure or destroy any pipe, fountain, hydrant, or any other work or material of the Company, such offender, on conviction, in a summary manner before any Stipendiary Magistrate, shall forfeit a sum not exceeding twenty five dollars, with costs of suit, and shall also pay to the Company upon the order of such Magistrate a sum equal to the amount of the damage so occasioned by him; and in default of such payment shall be imprisoned for a period not exceeding three calendar months; and it shall be lawful for any person who may witness the Commission of such offence to apprehend without warrant, and for any other person to assist in apprehending such offender, and to convey him before a Stipendiary Magistrate to be dealt with in manner aforesaid.

Annual  
statement.

5. Copies of the annual statement of the Company's affairs shall be transmitted to the Colonial Secretary within twenty days after the annual meeting. The Government shall have power at all times to inspect the books of the Company.

Respecting  
transfer of  
works to  
Government  
Municipal  
Board.

6. If at any time after twenty years from the passing of this Act it shall be deemed advisable by the Governor in Council with the assent of the Legislature that the water and sewerage works and other property of the Company connected therewith or appertaining thereto, shall be transferred to and vested in the Government of this Colony or at the option of the Governor-in-Council with the assent of the Legislature, in such Municipal Board, Road Board, or

other public body, if any, as shall at such time have the control or management of the local affairs of the area hereinbefore mentioned, it shall be lawful for the Governor-in-Council to cause a written notice to be given to the Company either on behalf of himself or on behalf of such Municipal Body as is above mentioned, such notice shall be served at the registered office of the Company and shall state that the Government has decided upon becoming the holder or that the said Municipal body shall become the holder of the said water and sewerage works and other property and that the Government or such Municipal body is prepared to pay to the Company the value of such works and property; such value shall be determined by Arbitration in the same manner as is hereinbefore provided for the taking of lands; After the expiration of one year from the time of the service of such notice and after payment to the Company of the sum awarded by the Arbitrators, all and singular of the said works and property of the Company shall become the property of His Majesty or of the aforesaid Municipal body as the case may be and shall be thenceforth held free and discharged from all claims of the Company or shareholders thereof or any other person claiming from or under the Company.

7. It shall be obligatory upon the Company to cause a sufficient supply of pure and wholesome water to be conveyed in pipes and mains through such streets in West Corner Brook as the Governor-in-Council may direct, and to erect in such places as the Governor-in-Council may direct a reasonable number of fountains for the supply of water to the poor, and to establish a reasonable number of hydrants for fire protection throughout West Corner Brook where the Governor-in-Council may think necessary.

8. It shall be lawful for the directors of the Company, subject in all cases to the approval and control of the Governor-in-Council, from time to time, to fix and establish water rates and assessments and sewerage rates and assessments under this Act, at such amounts as may be necessary for the purpose of this Act; all which rates and assess-

Water rates  
and assess-  
ments to be  
established by  
Directors.

ments shall be levied, collected and paid in advance monthly, quarterly or half-yearly as may be determined by the Company: Provided always that notice of any change in the rates of assessment aforesaid shall be given by publication in the *Newfoundland Gazette*, and that the Minute of Council confirming the same shall be laid before the Legislature at the next ensuing session.

Owners of  
houses to  
connect with  
water and sewerage.

9. (1) As soon as the water supply system shall be in operation the owners of all houses and other buildings within two hundred feet of the pipes of such system shall be required to connect their houses or buildings at their own expense with such water system and whether so connected or not shall become liable for and pay monthly, quarterly, or half-yearly, as may be determined by the Board of Directors of the Company, the water rates imposed or to be imposed under the preceding section; and likewise as soon as a sewerage system shall be laid down and ready for operation the owners of all houses and other buildings within two hundred feet of the sewerage pipes of such system shall be required to connect with the same in like manner, and shall become liable to and pay the sewerage rates imposed or to be imposed under the preceding section.

Respecting  
Charges.

(2) The Company may at its option exempt the owners of Churches and may likewise exempt the owners of all houses of the annual value of less than twenty-eight dollars from the payment of either or both rates for which they may be liable or any part thereof.

Water rates in  
certain cases.

(3) In establishing any water rate regard shall be had not only to the general valuation of the premises supplied, but to the question whether the water so supplied is to be used for trading, manufacturing, the supply of ships, or other-

wise for special purposes, and in special quantities as distinguished from supplies for domestic use only.

- (4) When the occupier is not the owner the rates <sup>Rates as</sup> and assessments shall be paid by the owner who <sup>between owner</sup> shall be entitled to add to the rent in the absence <sup>and occupier.</sup> of agreement to the contrary a proportion of the said rates calculated as in section 16 (2) of this Act.

10. For the purpose of ascertaining the amount of <sup>Appraisers.</sup> such water rates and assessments, it shall be lawful for the Governor-in-Council, from time to time as may be necessary, to appoint one or more appraisers, who shall be sworn before a Justice of the Peace faithfully to discharge the duties of their office; and it shall be the duty of such appraisers to appraise the ground rents of all houses and other buildings along which the pipes of the Company shall have been laid, and within two hundred feet of such pipes; also the profit rent of such houses and buildings, and also the rent value of the same, at such time and times as may be deemed necessary by the Governor-in-Council during the continuance of this Act; and when such appraisement shall be completed they shall deposit the book or books of such appraisement with the Magistrate at Corner Brook or such other person as the Governor-in-Council may appoint for such purpose.

11. Such book or books of appraisement shall be open <sup>Books of</sup> to the examination of all parties interested therein, and <sup>Appraisement.</sup> after the expiration of fourteen days after it or they shall have been so deposited the Stipendiary Magistrate of Corner Brook shall, at certain times within fourteen days thence following, to be notified in a public newspaper in Curling or Corner Brook, which time, however, the Magistrate may extend if the number of objections renders it impracticable to complete the revision within fourteen days, hear and determine applications for the

revision of such appraisalment; and it shall be competent for any person therein interested, by notice in writing to be filed in the office of the said Stipendiary Magistrate and served on the said appraisers or one of them within fourteen days first mentioned, to object to the amount for which property or interest therein may have been appraised, which objection the said Stipendiary Magistrate shall hear and determine, and amend or confirm the appraisalment accordingly; and, after the completion of such revision, the said appraisalment shall be final and binding on all parties until a new appraisalment and revision shall have been made.

Collectors  
Recovery of  
rates before  
Stipendiary  
Magistrate.

12. The Company shall appoint a Collector, who shall give sufficient security faithfully to discharge the duties of his office as such Collector, and shall, after the completion of such appraisalment, and as soon as the directors of the said Company shall have ascertained the amounts which the several parties mentioned or interested therein shall be liable to pay in respect of the said rates and assessments, which they are hereby authorized to do, collect from the parties respectively liable in that behalf such rates or Assessments; and in case any person so liable shall neglect or refuse to pay such rates, the same may be recovered with costs in a summary manner by a suit before the Stipendiary Magistrate for Corner Brook to be brought in the name of the said Company.

Judgments,  
&c., to be  
final.

13. All judgments, orders or proceedings of the said Stipendiary Magistrate hereafter to be made or had in any suit or action for the recovery of such water rates or assessments, or either of them, shall be final and binding upon the parties thereto; and no such suit, action, judgment, order or proceeding shall be removable by certiorari or otherwise: Provided that in any action for a rate or assessment about forty dollars a year, it shall be competent for the Stipendiary Magistrate upon the application of either party to be made at the hearing, to state a case for the opinion of the Supreme Court upon any



question of law arising upon the trial, and the opinion of the Supreme Court shall govern the determination of the Stipendiary Magistrate, and provided that in any action for a rate exceeding one hundred dollars a year either party may appeal to the Supreme Court within fourteen days of the judgment of the Magistrate.

14. It shall be lawful for the Company subject to the directions of the Governor in Council to open and construct throughout West Corner Brook and the several places and streets thereof such and so many drains and sewers as may be necessary for the efficient drainage and sewerage thereof.

15. It shall be the duty of all proprietors of houses and buildings in West Corner Brook to make and construct adequate connections between their houses or buildings and the sewerage pipes of the Company as soon as such sewerage pipes are laid within two hundred feet of such houses or buildings.

16. (1) Should the proprietor or proprietors of any house or building refuse to make and construct adequate sewerage connections as provided in the preceding section it shall be lawful for the Company, its servants or contractors, after ten days' notice in writing to enter upon the property of such proprietor or proprietors and thereon make and construct sufficient drains or sewers leading to the main sewerage pipes of the Company as aforesaid and the reasonable cost of such connecting drains or sewers shall be paid by the proprietor or proprietors, and may be recovered from him or them together with costs by suit before the Stipendiary Magistrate at Corner Brook.

Proportions of cost of connecting sewers as between owner and occupier.

- (2) For the purpose of this Section proprietor or proprietors shall include both the owner and the lessee or occupier, if any. Where the owner is not himself the occupier the cost of such connecting drains or sewers shall be paid in the following proportions, viz:

Where the term of the lessee or occupier has seven years or less to run, the whole shall be paid by the Owner.

Where the term has from 7 to 14 years to run, two-thirds shall be paid by the owner and one-third by the lessee or occupier.

Where the term has more than 14 years to run, one-third shall be paid by the Owner and two-thirds by the lessee or occupier.

Respecting agreements between owner and lessee.

- (3) Nothing in this Section shall prevent the operation as between the owner and the lessee of any covenants or agreements as to the payment by them respectively of any expenses in connection with the property of the kind in this Section mentioned.

Notice to Company of intention to connect with sewers.

17. The proprietor or proprietors of any house or building who shall himself or themselves make and construct any such drain or sewer as aforesaid, shall, before proceeding with the same give two days' notice to the Company of his or their intention in that behalf, and such construction shall be subject to the supervision and control of the Company, so far as may be necessary in order to secure that it may be effectual for the purpose for which it is designed, and may not in any way damage or interfere with the construction or flow of main sewers.

Default in payment of rates, &c.

18. When any person shall make default in the payment of any rate or assessment payable by virtue of this Act, and such person shall reside out of West Corner Brook or be absent from the Colony, and shall not have any known Agent in the district, notice of any summons issued against

him for rates shall be posted on the door of the Court House at Corner Brook and served upon the person in possession of the premises for which the rates are payable, or, if no person be in possession, affixed upon some part of the said premises, and such affixing of notice or service shall be deemed good service, and judgment may be entered by default against the person liable for such rate or assessment as if such person had been personally served with a summons, provided the Stipendiary Magistrate shall so order. Any unpaid judgment for rates and assessments shall be a preferential charge upon the property in respect of which it is imposed notwithstanding any transfer of ownership thereof.

19. Any Inspector duly authorized by the Company for that purpose shall have access with reasonable frequency for purposes of inspection to all parts of every building in which water from the pipes of the Company is delivered, provided such access shall be between the hours of eleven in the morning and four in the afternoon.

20. The Directors of the Company may, from time to time, with the approval of the Governor-in-Council, make such regulations as shall be necessary or expedient for the purpose of preventing the waste or misuse of water, and therein, amongst other things may prescribe the size, description, strength and location of the pipes, cocks, cisterns and other apparatus to be used, which regulation shall be published in the *Newfoundland Gazette* and one other newspaper for one month previous to coming into operation.

21. Every cistern, or other receptacle for water, and every closet, soil-pan and bath which shall be supplied with water by the Company shall be so constructed and used as effectually to prevent the waste, misuse, or undue consumption of water, and the flow or return of foul air or other noisome or impure matter into the mains or pipes of the Company, or into any pipes connected or communicating therewith, and the Company shall not be bound to supply water into any cistern, or other receptacle, or water closet, soil pan or bath which shall not be so constructed.

Interference  
with officials  
and servants of  
Company:  
Penalty.

22. If any person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted the said Directors, their Managers, Contractors, Agents or Servants, or any person acting under the authority of the Company, in the exercise of any of the powers in this Act authorized or contained or in any of the regulations to be made as aforesaid, or shall do any act in violation of this Act or the said regulations, such person shall, on conviction thereof, forfeit and pay for every such offence a sum not exceeding forty dollars, to be recovered in the name of the Company in a summary manner before a Stipendiary Magistrate and to be applied for the use of the Colony.

Right to cut off  
pipes in certain  
cases.

23. If any person supplied with water by the Company wrongfully does, or causes, or permits to be done anything in contravention of any of the provisions of the last two preceding sections, or of the regulations aforesaid, or wrongfully fails to do anything which, under either of the said last two preceding sections or the said regulations, ought to be done for the prevention of waste, misuse, undue consumption or contamination of the water of the Company, the Company may, without prejudice to any remedy against him in respect thereof, cut off any of the pipes by or through which water is supplied by the Company to him or for his use, and may cease to supply him with water so long as the cause of injury remains or is not remedied.

Right of  
Company to  
import free of  
duty.

24. The Company shall be permitted to import free of duty and sales tax all pipes, valves, screens, hydrants, fountains, tanks, and other material and apparatus not produced in Newfoundland necessary for the installation and laying down of its water and sewerage system and for the subsequent extension of the same, but not new in substitution for old: Provided that nothing in this section shall exempt from duty or sales tax any water or sanitary fittings or plumbing fittings or material or pipes or valves for installation in any house or other building of any kind or for private connecting water or sewerage lines through private property.

## CAP. XII.

*An Act to Provide for the Exhumation or Removal of  
Dead Bodies*

(Passed July 14, 1930)

## SECTION—

1.—Unlawful to remove any  
body except by virtue of  
License.

## SECTION—

2.—Freedom from penalties if  
acting under License.  
3.—License may be in general  
terms.

**B**E it Enacted by the Governor, the Legislative Council  
and House of Assembly, in Legislative Session conven-  
ed, as follows:—

1. It shall not be lawful to remove any body or the <sup>Unlawful to</sup>remains of any body, which may have been interred in any <sup>remove any</sup>body except place of burial, except by virtue of a license under the hand <sup>by virtue</sup>of the Minister of Justice, and with such precautions as may <sup>of License.</sup>of the Minister of Justice, and with such precautions as may be prescribed by the Chairman of the Board of Health; and any person who shall remove any such body or remains, contrary to this Act, or who shall neglect to observe the instructions prescribed by the Chairman of the Board of Health, shall on summary conviction before a Stipendiary Magistrate or two Justices of the Peace, forfeit and pay for every such offence a sum not exceeding fifty dollars.

2. Every such license shall name the body or remains <sup>Freedom from</sup>to be removed and the person or public body who shall have <sup>penalties if</sup>charge and control of the exhumation or removal of the <sup>acting under</sup>body or remains, and such person or public body acting <sup>License.</sup>under and in accordance with the conditions of the license, and the servants or agents of such person or public body so acting under his or their directions shall not be liable to any pains or penalties which would otherwise attach to the removal of such body or remains.

3. In case of the removal of a number of bodies from <sup>License may be</sup>one cemetery or place of burial to another or in the case <sup>in general</sup>of the removal of a body of a person unknown, it shall be <sup>terms.</sup>lawful for the license to be expressed in general terms without naming the particular body or bodies to be removed.



## CAP. XIII.

*An Act to Amend the Act 17 Geo. V. Chapter 14 Entitled  
 "An Act Respecting Railway and Shipping."*

(Passed July 14, 1930)

SECTION 1.—Addition to Section 18  
 17 Geo. V., Cap. 24.

18. Expropriation of land  
 for Railway. Procedure.

**BE** it Enacted by the Governor, the Legislative Council  
 and House of Assembly, in Legislative Session, convened,  
 as follows:—

Addition to  
 Section 18  
 17 Geo. V.,  
 Cap. 24.

1. The Act 17 George V. Chapter 24, entitled "An Act  
 respecting Railway and Shipping" is hereby amended by  
 adding thereto the following Section as Section 18.

Expropriation  
 of land for  
 Railway.  
 Procedure.

18. Whenever it shall be deemed necessary by the  
 Newfoundland Railway to expropriate any  
 land for the purposes of the said Railway, the  
 said Newfoundland Railway may acquire the  
 same in manner following:

- (1) The Newfoundland Railway by a person or  
 persons duly authorized for that purpose  
 shall accurately ascertain and delimit the  
 land or property to be expropriated and for  
 such purpose such person or persons shall  
 have the right to enter on any property to  
 ascertain and measure and obtain the descrip-  
 tion of the same.
- (2) The Newfoundland Railway shall then notify  
 the owner that the said land or property de-  
 scribing and delimiting the same, is required  
 and taken for the purposes of the New-  
 foundland Railway, and thirty days after the  
 delivery of the said notice to the Owner, or if  
 the Owner cannot be found or cannot without  
 delay be ascertained then thirty days after

the passing of the said notice of expropriation in a conspicuous place upon the land or property, the said land or property shall vest in the Newfoundland Railway and the Railway may enter thereupon forthwith, provided, however, that where the land, or any part thereof, is occupied by buildings, not being derelict or abandoned buildings no longer in actual use, then the periods in this Section before referred to shall be ninety days instead of thirty days.

- (3) The Newfoundland Railway shall make compensation to the Owner for any land or property expropriated under this Section or used or injuriously affected by any such expropriation for all damages necessarily resulting from the exercise of the powers given under this Section which may be in excess of any advantage which the Owner may derive directly or indirectly from the contemplated work and operations of the Newfoundland Railway.
- (4) If the Newfoundland Railway and the owner cannot agree upon the amount of compensation, such amount shall be assessed by three Assessors, namely: The Manager of the Newfoundland Railway, an Assessor to be appointed by the Board of Railway Commissioners, and an Assessor to be appointed by the Owner of the property. The Assessors shall be deemed to be Assessors and not Arbitrators and their finding shall be final.
- (5) If the Owner shall refuse or neglect to nominate an Assessor within thirty days after being required to do so by the Newfoundland Railway, the Newfoundland Railway may nominate an Assessor on behalf of the Owner, and the Assessors shall then proceed to assess.

ment, and the award of a majority shall be the award of the Board of Assessors.

- (6) Assessment shall be in writing and shall be made within sixty days of the completion of the Board of Assessors, and immediately upon being made shall be delivered to the Newfoundland Railway, and the amount of compensation found due shall be paid within six months of assessment; provided that if it is not paid within thirty days it shall thereafter bear interest at the rate of six per centum per annum until payment.
- (7) The fees of the Assessors other than the Manager of the Railway shall be fixed and paid by the Newfoundland Railway.
- (8) A book or register containing the particulars of all expropriations hereunder together with the notices and Assessments shall be kept by the Newfoundland Railway for purposes of record.
- (9) In any case where the value of the land or property to be expropriated shall exceed five hundred dollars, the Assessors may allow the costs and expenses of any proceedings before the Assessors to the person whose property is taken; provided that the costs shall be taxed by the Registrar or Deputy Registrar of the Supreme Court before being paid, the taxing officer having regard to the amount of compensation assessed; or in a case where the amount of compensation due is considerable but the amount of compensation advantage to be set off against the same is also considerable and the actual compensation is therefore, small, then he may have regard to the extent and difficulty of the work involved,

## CAP. XIV.

*An Act to Amend and Consolidate the Law Relating to the  
Powers and Procedure of Magistrates and Justices  
of the Peace*

(Passed July 14, 1930)

## SECTION—

- 1.—Short Title.
- 2.—Repeal.
- 3.—Commencement of Act.
- 4.—Quarter Sessions abolished.
- 5.—Jurisdiction of Supreme Court.
- 6.—Powers of Stipendiary Magistrate.
- 7.—In places where no Stipendiary Magistrate.
- 8.—Where no J.P.
- 9.—Powers of J.P.
- 10.—Respecting Warrant or Summons.
- 11.—Appeals.
- 12.—Affidavit of Magistrate.
- 13.—Complaints regarding Insane Persons.
- 14.—References to other Acts.
- 15.—Jurisdiction in Civil cases.
- 16.—Amount recoverable.
- 17.—Respecting equitable defences and counterclaim.
- 18.—Subpoena for Witnesses.
- 19.—Rules Committee respecting Civil Procedure.
- 20.—Evidence Civil Cases to be recorded.
- 21.—Disputed ruling or evidence.
- 22.—Enforcement of Judgments and Orders.
- 24.—Third Party proceedings.
- 25.—Appeals.
- 26.—Sums recoverable as civil debts.
- 27.—Power of Court to make orders in certain cases.
- 28.—Respecting orders on complaint in civil debts.
- 29.—Indictable Offences.
- 30.—Indictable Offences.

## SECTION—

- 31.—Respecting Warrants or Indictments in cases of persons at large.
- 32.—Respecting issue of Warrant or Summons in certain cases.
- 33.—Further respecting Warrants.
- 34.—Endorsement of Warrants.
- 35.—Summonses to Witnesses.
- 36.—Depositions, &c., taken on oath or affirmation.
- 37.—Depositions to be read, &c.
- 38.—Building deemed to be open Court.
- 39.—Prosecutor and witnesses to be bound by recognizance.
- 40.—Binding over witnesses in certain cases.
- 41.—Remanding the accused.
- 42.—Sureties for appearance of accused and witnesses.
- 43.—Warrant of deliverance on admission to bail.
- 44.—Respecting discharge of accused for want of evidence.
- 45.—Delivery of accused and warrant to gaoler.
- 46.—Accused entitled to copy of Depositions.
- 47.—Forms.
- 48.—Stipendiary Magistrate's powers alone.
- 49.—Offence triable before Magistrate or two or more Justices.
- 50.—Compensation in certain cases.
- 51.—Distress and sale for amount of compensation.

## SECTION—

- 52.—Compensation a bar to civil action.
- 53.—One justice may act in certain cases.
- 54.—Justice may issue process in certain cases.
- 55.—Justices may issue Warrant in default of Appearance.
- 56.—Warrant to be under hand and seal, &c.
- 57.—Alleging ownership of property.
- 58.—Aiding and abetting an offence.
- 59.—Compelling witnesses to attend and give evidence.
- 60.—Complaints for payment of money.
- 61.—Variation between information and evidence.
- 62.—Complaint or information may be laid without oath in certain cases.
- 63.—Complaint to be laid within twelve months.
- 64.—Hearing and determination of complaints.
- 65.—Procedure in default of Appearance.
- 66.—Hearing: Procedure.
- 67.—Witnesses to be sworn.
- 68.—Adjournment of hearing.
- 69.—Costs: Order for payment.
- 70.—Defendant to be served with minutes of order before commitment or distress.
- 71.—Warrants of distress in certain cases.
- 72.—Defendant may be detained, &c.
- 73.—Warrant of Commitment in default of distress.
- 74.—Commitment to gaol in default of distress.
- 75.—Regulations respecting Warrants of Distress.
- 76.—Commitment of Defendant in certain cases under Statute.
- 77.—Distress: Limitations, &c.

## SECTION—

- 78.—Commitment in cases for default of doing a certain act, &c.
- 79.—Warrant in case of subsequent offences.
- 80.—Commencement of sentence.
- 81.—Costs: Defendant's Distress.
- 82.—Appeal: failure: Commitment thereupon.
- 83.—Discharge of accused upon payment.
- 84.—Payment to be made to Justice or Clerk.
- 85.—Case stated.
- 86.—Recognizance.
- 87.—Justice may refuse to state a case in frivolous cases.
- 88.—Application to court on refusal of Justice to state a case.
- 89.—Powers of Supreme Court on hearing of stated case.
- 90.—Supreme Court may send case back for amendment.
- 91.—Judge in Chambers to have powers of Supreme Court.
- 92.—Procedure after judgment on stated case.
- 93.—Certiorari not necessary.
- 94.—Rules to be made regarding proceedings under Sections 85 to 93.
- 95.—Default in observing Recognizance.
- 96.—Evidence of Sick Persons, &c.
- 97.—Procedure for obtaining presence of prisoners.
- 98.—Power to reduce penalty.
- 99.—Allowance of time for payment.
- 100.—When conviction for one dollar.
- 101.—Recognizances: Forfeiture.
- 102.—Summary Trial of Children: Whipping.
- 103.—Summary Trial of Young Persons: Whipping.
- 104.—Summary trial of adults for Indictable Offences.

## SECTION—

Schedules.

- 105.—Adults charged under Part V.
- 106.—Child: Limitation of Imprisonment.
- 107.—Procedure in cases of Indictable Offences triable summarily.
- 108.—Trials to be in Open Court, &c.
- 109.—Remand.
- 110.—Remand: Recognizance.
- 111.—Further Remand in case of sickness.
- 112.—Sureties for good behaviour, &c.
- 113.—Procedure: Summary jurisdiction.
  - 1. Description of offence.
  - 2. Ditto.
  - 3. Warrants not void for defects.
  - 4. Warrants of Distress not void for defects.
  - 5. Respecting sale of forfeitures.
- 114.—Proof of Service of Summons, &c.
- 115.—Venue.
- 116.—Hearing may be continued in different places.
- 117.—Powers of removal of witnesses.
- 118.—Remitting case for trial before Stipendiary Magistrate even after committal.
- 119.—Charges against Corporations.
  - (a) Proviso.
- 120.—Appeal.
- 121.—Appeal.
- 122.—Appeal.
- 123.—Notice of Appeal.
- 124.—Bail.
- 125.—Right to Bail.
- 126.—Recognizance in certain cases.
- 127.—Recognizance: Enforcement.

## SECTION—

- 128.—Security to be given.
- 129.—Recognizance: Entering into same.
- 130.—Recognizance on release.
- 131.—Record of convictions, &c., to be kept.
- 132.—Proof of conviction, &c.
- 133.—Explanation of false pretences charge.
- 134.—Temporary Detention.
- 135.—Respecting sentences.
- 136.—Searching of prisoners.
- 137.—Respecting right to search for money, &c.
- 138.—Fines, &c.
- 139.—Fees.
- 140.—Issue of warrant of commitment in certain cases.
- 141.—Time allowance for payment of fine, &c.
- 142.—Reduction of term on payment of fine, &c.
- 143.—Witnesses: subpoena, &c.
- 144.—Periodical payments.
- 145.—Costs.
- 146.—Hard labour.
- 147.—Whipping.
- 148.—Forms of information, &c.
- 149.—Conviction not to be quashed for want of form.
- 150.—Fines.
- 151.—Sudden deaths.
- 152.—Fees.
- 153.—Table of fees.
- 154.—Amount of fees.
- 155.—Rules.
- 156.—Fiat of Attorney General: Proof.
- 157.—Execution of warrants.
- 158.—Contempt of court: Fine.
- 159.—Imperial Acts: Construction.
- 160.—Application of Acts.
- 161.—Application of this Act.
- 162.—Application of Act to cases of bastardy.
- 163.—Interpretation.
- 164.—Commencement of Act.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—



## PRELIMINARY

## Short Title.

1. This Act may be cited as "The Summary Jurisdiction Act, 1930."

## Repeal.

2. The Chapters and Acts and parts of Chapters and Acts mentioned in the first Schedule hereto are hereby repealed to the extent stated in such Schedule as from the First day of January A.D. 1931.

## Commencement of Act.

3. The Act shall operate and go into effect on and from the said first day of January A.D. 1931.

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*NOTE*—The following abbreviations in brackets at the ends of sections refer to the Acts of the Imperial Parliament set opposite the same respectively.

*I.O.A. 1848*—*Indictable Offences Act 1848.* (11 & 12 Vic. Cap. 42 "An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales with respect to persons charged with indictable offences.")

*S.J.A. 1848*—*Summary Jurisdiction Act, 1848.* (11 & 12 Vic., Cap. 43 "An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders.")

*S.J.A. 1857*—*Summary Jurisdiction Act, 1857.* (20 & 21 Vic., Cap. 43, "An Act to improve the Administration of the Law so far as respects summary Proceedings before Justices of the Peace.")

*C.L.A.A. 1867*—*Criminal Law Amendment Act, 1867.* (30 & 31 Vic. Cap. 35, "An Act to remove Defects in the Administration of the Criminal Law.")

*S.J.A. 1879*—*Summary Jurisdiction Act, 1879.* (42 & 43 Vic., Cap. 49, "An Act to amend the Law relating to the Summary Jurisdiction of Magistrates.")

*S.J.A. 1899*—*Summary Jurisdiction Act, 1899.* (62 &

## GENERAL

4. Courts of Quarter Sessions of the Peace are abolished. <sup>Quarter Ses-</sup>  
sions abolished.

5. Where, by any law now or hereafter to be in force in this Colony, any authority to hear and determine with a <sup>Jurisdiction of</sup>  
jury, or any appeal, or any proceeding in the nature of a <sup>Supreme Court.</sup>  
appeal, removal, points reserved, or case stated, would be vested in, or made or had to Courts of General Quarter Sessions, and provision is not otherwise made for such cases, the jurisdiction shall vest in and be exercised by the Supreme Court, either in St. John's or on Circuit.

6. Any person appointed a Stipendiary Magistrate shall, by virtue of his office as such, be a Stipendiary Mag- <sup>Powers of</sup>  
istrate and a Justice of the Peace for the Island of New- <sup>Stipendiary</sup>  
foundland and its Dependencies, and shall have and exercise all the powers of two or more Justices of the Peace; and two or more Justices of the Peace may exercise any <sup>Magistrate.</sup>

63 *vic.*, Cap. 22, "An Act to amend the Summary Jurisdiction Act, 1879.")

C.J.A.A. 1914—*Criminal Justice Administration Act, 1914.* (4 & 5 Geo. V., Cap. 58, "An Act to diminish the number of cases committed to prison, to amend the Law with respect to the treatment and punishment of young offenders, and otherwise to improve the Administration of Criminal Justice.")

C.J.A. 1925—*Criminal Justice Act, 1925.* (15 & 16 Geo. V., Cap. 86, "An Act to amend the law with respect to the Administration of Criminal Justice in England and otherwise to amend the Criminal Law".)

The references in each case indicate that the section in question is either copied from or based, with modifications, upon the section of the Act of the Imperial Parliament referred to; and is inserted for convenience of reference to decisions upon the Act and section; and forms no part in this Act.

power given to a Stipendiary Magistrate by this or any other Statute except where otherwise specifically provided.

In places where  
no Stipendiary  
Magistrate.

7. In places in which there may be no resident Stipendiary Magistrate or when he shall be absent, a Justice of the Peace may if thereto previously authorized in writing or by telegraph by the Minister of Justice exercise jurisdiction and authority as if he were a Stipendiary Magistrate, save summary trials for the offences set out in the Parts IV. and V. of the Third Schedule hereto.

Where no J.P.

8. Where there is no Clerk of the Peace, or in his absence, a Stipendiary Magistrate or Justice may perform the duties of such officer.

Powers of J.P.

9. Any Justice of the Peace shall have and exercise, as far as the same can be applied and it is not by law otherwise provided, such powers, authorities and jurisdiction as are or shall be possessed by Justices of the Peace in England.

Respecting  
Warrant or  
Summons.

10. A warrant or summons issued by a Magistrate or a Justice of the Peace under this or any other act, whether past or future, or otherwise, shall not be avoided by reason of the Magistrate or Justice who signed the same dying or ceasing to hold office. (S.J.A.1879—s37.)

Appeals.

11. Whenever the decision of any Magistrate or Justice or Justices is called in question in the Supreme Court upon an *ex parte* application, it shall be lawful for any such Magistrate or Justice or Justices to make and file in such Court an affidavit, setting forth the grounds of the decision so brought under review and any facts which he or they may consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of such affidavit, and such affidavit may be sworn before a Commissioner authorized to take oaths and may be forwarded by post to the Registrar of the Court for the purpose of being filed.

12. Whenever any such affidavit has been filed, the Court shall, before determining the matter so as to over-<sup>Affidavits of</sup>rule or set aside the acts or decisions of the Magistrate or Justice or Justices to which the application relates, take into consideration the matters set forth in such affidavit, notwithstanding that no counsel appears on behalf of the said Magistrate, Justice or Justices.

13. Nothing in this act shall extend or be construed to extend to any complaints or orders made with respects to<sup>Complaints</sup> lunatics, or the expenses incurred for the lodging, maintain-<sup>regarding</sup>ance, medicine, clothing, or care of any lunatic or insane<sup>insane</sup> person; nor shall any thing in this act extend or be construed to extend to any complaints, orders, or warrants in matters of bastardy made against the putative father of any bastard child, save and except such parts of this act as relate to warrants of distress, or to the levying of sums ordered to be paid, or to the imprisonment of a defendant for non-payment of the same. (S.J.A., 1848—555.)

14. Where any act of the legislature incorporates or re-<sup>References to</sup>fers to any provisions of any act hereby repealed, such act<sup>other Acts.</sup> shall be deemed to incorporate or refer to the corresponding provisions of this act. (S.J.A., 1879—555.)

### *Civil Jurisdiction of Magistrates.*

15. The jurisdiction of a Stipendiary Magistrate shall<sup>Jurisdiction in</sup> include the hearing and determining in a summary way of<sup>civil cases.</sup> all the civil actions set forth in the second Schedule hereto.

16. A plaintiff shall not divide any cause of action for<sup>Amount</sup> the purpose of bringing two or more suits before a Stipen-<sup>recoverable.</sup>diary Magistrate, but he may abandon the excess and recover to any amount not exceeding the amount for which the said Magistrate has power to give judgment. (C.S., 1916, C. 85, S. 7.)

*Witnesses.*

Respecting  
equitable  
defences and  
counter-claim.

17. A Stipendiary Magistrate may entertain defences by way of counterclaim or of equitable defence; but where any such counterclaim or defence involves matter beyond the jurisdiction of the Magistrate, such defence or counterclaim shall not oust the jurisdiction of the Magistrate to dispose of the whole matter in controversy so far as relates to the demand of the plaintiff and the defence thereto; but no relief exceeding that which the Magistrate has jurisdiction to administer shall be given to the defendant on any such counterclaim; provided always that in such case it shall be lawful for the Supreme Court or a judge thereof on the application of any party to the proceeding, to order that the whole proceeding be transferred to the Supreme Court, and in such case the record in such proceeding shall be transmitted by the Magistrate to the Registrar of the Supreme Court, and the same shall thenceforth be continued in the Supreme Court as if it had been commenced therein: Provided, however, that if on such an application for transfer of an action it shall appear to the Supreme Court or judge that the matter is one which notwithstanding that it involves an amount otherwise beyond the Magistrate's jurisdiction might yet fairly be entrusted to him for decision, the Court or judge may refuse the application for transfer and order that the issues in the case be tried by the Magistrate, and give directions thereon as may seem expedient and thereupon the Magistrate shall have jurisdiction to try and adjudge the case.

Subpoena for  
witnesses.

18. On every civil proceeding the Stipendiary Magistrate shall have power to subpoena any person who shall be alleged to be a necessary witness in the case or matter, and if any person duly summoned to appear before any Stipendiary Magistrate to give evidence in a cause pending before him neglect or refuse to appear and no just cause shall be shown for such neglect or refusal and proof be made of legal service of a summons and that money was tendered to him for his expenses, and also proof that such person is a material and necessary witness in such cause, the Magis-

trate may issue a warrant to bring such person before him at a time to be mentioned therein, to testify as aforesaid, and should such witness refuse to be sworn and to give evidence the Magistrate may commit him to the common gaol or penitentiary unless in the meantime the said witness shall consent to be examined and to give evidence. (C.S., 1916, C. 85, S. 8.)

### *Rules for Civil Procedure.*

19. There shall be a Rule Committee to make Rules <sup>Rules Com-</sup> not inconsistent with this Act for regulating the pleading, <sup>mittee respect-</sup> and practice, procedure and costs in civil causes before <sup>Sing Civil</sup> Procedure. Magistrates and Justices, including execution, practice, procedure and costs; and such Rules having first been published for one month in the *Newfoundland Gazette* shall have effect as if they formed part of this Act. For the purposes of all parts of this Act the Rule Committee shall consist of the Judges of the Supreme Court, the Registrar, the Solicitor General, the Deputy Minister of Justice and the Judge of the Central District Court.

### *Magistrates to Record Evidence*

20. Upon the trial of any civil cause it shall be the <sup>Evidence civil</sup> duty of the Magistrate or one of the Justices to take the <sup>cases to be</sup> evidence of the witnesses fully in writing, together with his <sup>recorded.</sup> rulings on the admission or rejection of evidence.

### *Disputed Rulings On Evidence*

21. The Solicitor on either side, upon the Magistrate <sup>Disputed ruling</sup> or Justices ruling against him on a question of evidence, <sup>or evidence.</sup> may reduce the said question to writing and hand the same to the Magistrate or Justice, who shall transcribe the same on his minutes or attach the same thereto, and shall enter therewith his ruling on the said question of evidence.



*Enforcement of Judgments and Orders*

Enforcement of  
judgments and  
orders.

22. (1) Judgments and orders of a Magistrate or two Justices or a Justice may be enforced by execution upon the moneys and by distress and sale of the goods and effects of the person against whom the judgment is given or order made.

(4) The working tools and implements of trade of person, including his fishing skiff or punt, not exceeding on the whole the value of two hundred and fifty dollars and the necessary cooking apparatus, beds and wearing apparel of himself and his family shall not in any case be liable to be taken in distress.

(3) Where no sufficient distress can be found, but the judgment debtor has lands which might be subject of execution if the judgment were in the Supreme Court, the judgment creditor may after seven days notice to the judgment debtor of his intention so to do, apply to the Magistrate who tried the case for a certificate of judgment, and may file the said certificate in the Registry of the Supreme Court; and upon its being so filed, any process of execution may be had upon it as if the judgment were one of the Supreme Court.

23. Judgments and orders of a Magistrate or Justices or a Justice may be enforced by another Magistrate or

*Third Party Proceedings*

Third party  
proceedings.

24. Under final process upon a judgment of a Stipendiary Magistrate or Justices aforesaid moneys, goods, debts and effects in the hands of any person may be attached, and such party may be summoned, and, if necessary, compelled by warrant to attend and be examined, and the observance

of any order made thereon may be enforced by attachment of the goods of such third person, or by his arrest, provided that execution under final process, as aforesaid, shall not affect executory contracts or debts not actually due.

### *Appeals*

25. (1) An appeal shall lie from the judgment or decision of a Magistrate or Justice in any case in which an amount exceeding fifty dollars shall be involved in the judgment or decision; such appeal shall be to the next sitting of the Supreme Court in St. John's or on Circuit at or near the place where the case shall have been tried by the Magistrate or Justices as may seem convenient in the opinion of the Magistrate or Justice.

(2) Such appeal shall be conditional upon the party appealing giving notice of appeal in writing within fourteen days of the judgment or decision to the Magistrate or Justice and to the other party, and giving such security to abide the costs of appeal as may in the opinion of the Magistrate or Justice be sufficient.

### *Sums Recoverable as Civil Debts*

26. Where under any act, whether past or future, a sum of money claimed to be due is recoverable on complaint to a court of summary jurisdiction, and not on information, such sum shall be deemed to be a civil debt and if recovered before a court of summary jurisdiction shall be recovered in the manner in which a sum declared by this act to be a civil debt recoverable summarily is recoverable under this act, and not otherwise; and the payment of any costs ordered to be paid by the complainant or defendant in the case of any such complaint shall be enforced in like manner as such civil debt, and not otherwise. (S.J.A., 1879—s.6.)

Power of  
Court to  
make orders in  
certain cases.

27. (1) Where a power is given by any act to a court of summary jurisdiction or requiring any person to do or abstain from doing any act or thing other than the payment of money, or of requiring any act or thing to be done or left undone other than the payment of money, and no mode is prescribed of enforcing such requisition, the court may exercise such power by an order or orders, and may annex to any such order any conditions as to time or mode of action which the court may think just, and may suspend or rescind any such order on such undertaking being given or conditioned being performed as the court may think just, and generally may make such arrangement for carrying into effect such power as to the court seems meet.
- (2) A person making default in complying with an order of a court of summary jurisdiction in relation to any matter arising under any act other than the payment of money, shall be punished in the prescribed manner, or if no punishment is prescribed, may in the discretion of the court be ordered to pay a sum (to be enforced as a civil debt recoverable summarily under this act) not exceeding five dollars for every day during which he is in default, or to be imprisoned until he has remedied his default:

Provided that a person shall not, for non-compliance with the requisition of a court of summary jurisdiction, whether made by one or more orders, to do or abstain from doing any act or thing, be liable under this section to imprisonment for a period or periods amounting in the aggregate to more than two months or to the payment of any sums exceeding in the aggregate one hundred dollars. (S.J.A., 1879—s34.)

28. Any sum declared by this act, or by any act, to be a civil debt, which is recoverable summarily, or in respect of the recovery of which jurisdiction is given by such act to a court of summary jurisdiction, shall be deemed to be a sum for payment of which a court of summary jurisdiction has authority by law to make an order on complaint in pursuance of this Act: Provided as follows:

- (1) A warrant shall not be issued for apprehending any person for failing to appear to answer any such complaint; and
- (2) An order made by a court of summary jurisdiction for the payment of any such civil debt as aforesaid or of any instalment thereof, or for the payment of any costs in the matter of any such complaint whether ordered to be paid by the complainant or defendant shall not, in default of distress or otherwise, be enforced by imprisonment, unless it be proved to the satisfaction of such court that the person making default in payment of such civil debt, instalment or costs, either has or has had since the date of the order, the means to pay the sum in respect of which he has made default, and has refused or neglected, or refuses or neglects, to pay the same, and in any such case the court shall have power to commit the person so in default to prison for any period not exceeding six weeks. Any person imprisoned under this section shall be discharged out of custody upon proof to the satisfaction of the Court that he has satisfied a debt or instalment of a debt in respect of which he was imprisoned, together with the prescribed costs if any.
- (3) No imprisonment under this section shall operate as a satisfaction or extinguishment of any debt or demand or cause of action or deprive any person of any right to take out executions

against the lands, goods or chattels of the person imprisoned in the same manner as if such imprisonment had not taken place.

Proof of the means of the person making default may be given in such manner as the court to whom application is made for the commitment to prison think just, and for the purposes of such proof the person making default, and any witnesses may be summoned and examined on oath. (S.J.A., 1879—s.35.)

### *Indictable Offences*

Indictable  
Offences.

29. In all cases where a charge or complaint shall be made before any one or more justices of the peace, that any person has committed or is suspected to have committed any treason, felony, or indictable misdemeanour, or other indictable offences whatsoever, then and in every case, if the person so charged or complained against shall not then be in custody, it shall be lawful for such justice or justices of the peace to issue his or their warrant to apprehend such person, and to cause him to be brought before such justice or justices, or any other justice or justices to answer to such charge or complaint, and to be further dealt with according to law. Provided always that in all cases it shall be lawful for such justice or justices to whom such charge or complaint shall be preferred, if he or they shall so think fit, instead of issuing in the first instance his or their warrant to apprehend the person so charged or complained against, to issue his or their summons directed to such person, requiring him to appear before the said justice or justices at a time and place to be therein mentioned, or before such other justice or justices as may then be there, and if after being served with such summons in manner hereinafter mentioned he shall fail to appear at such time and place, in obedience to such summons, then and in every such case the said justice or justices, or any other justice or justices of the peace may issue his or their warrant to apprehend such person so charged or complained against, and cause such person to be brought before him or them, or

before some other justice or justices of the peace to answer to the said charge or complaint, and to be further dealt with according to law: Provided nevertheless, that nothing herein contained shall prevent any justice or justices of the peace from issuing the warrant hereinbefore first mentioned at any time before or after the time mentioned in such summons for the appearance of the said accused party. (I.O.A. 1848—sl.)

30. In all cases of indictable crimes or offences of any <sup>Indictable</sup> kind or nature whatsoever committed on the high seas, for <sup>Offences.</sup> which an indictment might lie in Newfoundland, it shall be lawful for any one or more justices to issue his or their warrant to apprehend the person so charged, and to cause him to be brought before him or them, or some other justice or justices to answer to the said charges and to be further dealt with according to law. (I.O.A., 1848—sz.)

31. Where any indictment shall be found by the grand <sup>Respecting</sup> jury in the Supreme Court at St. John's or on <sup>warrants or</sup> Circuit <sup>indictments in</sup> against any person who shall then be at large, and whether <sup>cases of</sup> such person shall have been bound by any recognizance <sup>persons at</sup> to large. appear to answer to the same or not, the person who shall act as clerk at such court at which the said indictment shall be found, shall at any time afterwards, after the end of the sessions at which such indictment shall have been found, upon application of the prosecutor, or of any person on his behalf, if such person shall not have already appeared and pleaded to such indictment, grant unto such prosecutor or person a certificate of such indictment having been found; and upon production of such certificate to any justice or justices, it shall be lawful for such justice or justices, and he or they are hereby required, to issue his or their warrant to apprehend such person so indicted, and to cause him to be brought before such justice or justices, or any other justice or justices to be dealt with according to law, and afterwards, if such person be thereupon apprehended and brought before any such justice or justices, such justice or justices, upon it being proved upon oath or affirmation before him or them that the person so appre-



hended is the same person who is charged and named in such indictment, shall, without further inquiry or examination, commit him for trial, or admit him to bail, in manner hereinafter mentioned; or if such person so indicted shall be confined in any gaol or prison for any offence other than that charged in the said indictment, at the time of such application, and production of the said certificate to such justice or justices as aforesaid, it shall be lawful for such justice or justices and he and they are hereby required, upon it being proved before him or them upon oath or affirmation that the person so indicted and the person so confined in prison are one and the same person, to issue his or their warrant directed to the gaoler or keeper of the gaol or prison in which the person so indicted shall then be confined as aforesaid, commanding him to detain such person in his custody until by His Majesty's writ of habeas corpus or by an order of the Minister of Justice he shall be removed therefrom, for the purpose of being tried upon the said indictment or until he shall otherwise be removed or discharged out of his custody by due course of law. (I.O.A., 1848—s3.)

Respecting  
issue of  
warrants or  
summons in  
certain cases.

32. In all cases where a charge or complaint for any indictable offence shall be made before such justice or justices as aforesaid, if it be intended to issue a warrant in the first instance against the party or parties so charged, an information and complaint thereof in writing, on the oath or affirmation of the informant or of some witness or witnesses in that behalf, shall be laid before such justice or justices: Provided always, that in all cases where it is intended to issue a summons instead of a warrant in the first instance, it shall not be necessary that such information or complaint shall be in writing, or be sworn to or affirmed in manner aforesaid, but in every such case such information and complaint may be by parole merely, and without any oath or affirmation whatsoever to support or substantiate the same: Provided also, that no objection shall be taken or allowed to any such information or complaint for any alleged defect therein in substance or in form, or for any variance between it and the evidence adduced on the part of the

prosecution before the justice or justices who shall take the examination of the witnesses in that behalf, as hereinafter mentioned. (I.O.A. 1848—s8.)

33. Every warrant hereafter to be issued by any justice or justices of the peace to apprehend any person charged with any indictable offence shall be under the hand and seal or hands and seals of the justice or justices issuing the same, and may be directed either to any constable or other person by name, or generally to all constables, and it shall state shortly the offence on which it is founded, and shall name or otherwise describe the offender, and it shall order the person or persons to whom it is directed to apprehend the offender, and bring him before the justice or justices issuing the said warrant, or before some other justice or justices to answer to the charge contained in the said information, and to be further dealt with according to law and it shall not be necessary to make such warrant returnable at any particular time, but the same may remain in force until it shall be executed; and such warrant may be executed by apprehending the offender at any place within Newfoundland and its Dependencies; and in all cases where such warrant shall be directed to all constables it shall be lawful for any constable to execute the said warrant in like manner as if such warrant were directed specially to such constable by name: Provided always; that no objection shall be taken or allowed to any such warrant for any defect therein in substance or in form, or for any variance between it and the evidence adduced on the part of the prosecution, before the justice or justices who shall take the examinations of the witnesses in that behalf, as hereinafter mentioned; but if any such variance shall appear to such justice or justices to be such that the party charged has been thereby deceived or misled, it shall be lawful for such justice or justices, at the request of the party so charged, to adjourn the hearing of the case to some future day, and in the meantime to remand the party so charged, or to admit him to bail in manner mentioned. (I.O.A., 1848—s10.)

Endorsement of  
warrants.

34. If any person against whom a warrant shall be issued in any part of His Majesty's Dominions by any judge of His Majesty's courts shall escape, go into, reside, or be, or be supposed or suspected to be, in Newfoundland or its Dependencies, it shall be lawful for any Stipendiary Magistrate, with the consent in writing or by telegraph of the Minister of Justice to endorse such warrant in the manner mentioned in the Schedule hereto or to the like effect; and every such warrant or process, so indorsed, shall be a sufficient authority to the person or persons bringing the same, and to all persons to whom the same respectively was originally directed, and also to all constables to execute the same, and to convey such offender, when apprehended to the country or place where the said warrant was issued. (I.O.A., 1848—s13.)

Summonses to  
witnesses.

35. If it shall be made to appear to any justice, by the oath or affirmation of any credible person, that any person within Newfoundland is likely to give material evidence for the prosecution, and will not voluntarily appear for the purpose of being examined as a witness at the time and place appointed for the examination of the witnesses against the accused, such justice may and is hereby required to issue his summonses to such person, under his hand and seal, requiring him to be and appear at a time and place mentioned in such summons before the said justice, or before such other justice or justices as shall then be there, to testify what he shall know concerning the charge made against such accused party; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by the said summons, and no just excuse shall be offered for such neglect or refusal, then (after proof upon oath, or affirmation of such summons having been served upon such person, either personally or by leaving the same for him with some person at his last or most usual place of abode), it shall be lawful for the justice or justices before whom such person should have appeared to issue a warrant under his or their hands and seals to bring and have such person at a time and place to be therein mentioned before the justice who issued the said summons, or before such

other justice or justices as shall then be there, to testify as aforesaid, or if such justice shall be satisfied by evidence upon oath or affirmation that it is probable that such person will not attend to give evidence without being compelled so to do, then, instead of issuing such summons, it shall be lawful for him to issue his warrant in the first instance, and if on the appearance of such person so summoned before the said last mentioned justice or justices, either in obedience to the said summons or upon being brought before him or them by virtue of the said warrant, such person shall refuse to be examined upon oath or affirmation concerning the premises, or shall refuse to take such oath or affirmation or, having taken such oath or affirmation shall refuse to answer such questions concerning the premises as shall then be put to him, without offering any just excuse for such refusal, any justice then present, may by warrant under his hand and seal commit the person so refusing to the nearest common gaol to the place where such person so refusing shall then be, there to remain and be imprisoned for any time not exceeding seven days unless he shall in the meantime consent to be examined and to answer concerning the premises. (I.O.A., 1848—s16).

36. In all cases where any person shall appear or be brought before any justice or justices charged with any indictable offence, whether committed in Newfoundland or upon the high seas, or whether such person appear voluntarily upon summons or have been apprehended, with or without warrant, or be in custody for the same or any other offence, such justice or justices, before he or they shall commit such accused person to prison for trial, or before he or they shall admit him to bail, shall, in the presence of such accused person, who shall be at liberty to put questions to any witness produced against him, take the statement on oath or affirmation of those who shall know the facts and circumstances of the case, and shall put the same into writing, and such depositions shall be read over and signed respectively by the witnesses who shall have been so examined, and shall be signed also by the justice or justices taking the same; and the justice or justices before whom any

Depositions,  
&c., taken on  
oath or  
affirmation.

such witness shall appear to be examined as aforesaid shall, before such witness is examined, administer to such witness the usual oath or affirmation, which such justice or justices shall have full power and authority to do; and if upon the trial of the person so accused as first aforesaid it shall be proved, by the oath or affirmation of any credible witness, that any person whose deposition shall have been taken as aforesaid is dead, or so ill as not to be able to travel, and if also it be proved that such deposition was taken in the presence of the person so accused, and that he or his counsel or solicitor had a full opportunity of cross-examining the witness, then, if such deposition purport to be signed by the justice by or before whom the same purports to have been taken, it shall be lawful to read such deposition as evidence in such prosecution, without further proof thereof, unless it shall be proved that such deposition was not in fact signed by the justice purporting to sign the same. (I.O.A. 1848—s17.)

Depositions to  
be read, &c.

37. (1) Where any person is charged before examining justices with an indictable offence, the justices shall, as soon as may be after the examination of each witness for the prosecution has been concluded, cause the deposition of that witness to be read to him in the presence and hearing of the accused, and shall cause him to sign the deposition, and shall forthwith bind him over to attend the trial in manner directed by section 39 of this Act.

- (2) Immediately after the last witness for the prosecution has been bound over to attend the trial, the examining justices shall read the charge to the accused and explain the nature thereof to him in ordinary language, and inform him that he has the right to call witnesses, and, if he so desires, to give evidence on his own behalf.

After so doing the examining justices shall then address to him the following words or words to the like effect—



“Do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so, but whatever you say will be taken down in writing and may be given in evidence upon your trial.”

- (3) Before the accused makes any statement in answer to the charge, the examining justices shall state to him and give him clearly to understand that he has nothing to hope from any promise of favour and nothing to fear from any threat which may have been held out to him to induce him to make any admission or confession of his guilt, but that whenever he then says may be given in evidence on his trial notwithstanding the promise or threat.
- (4) Whatever the accused states in answer to the charge shall be taken down in manner shown in a form in the Fifth Schedule hereto and shall be read over to the accused and signed by the examining justices and also, if he desires, by him, and shall be transmitted to the court of trial with the depositions of the witnesses in manner provided in section 39 of this Act.

On the trial the statement of the accused taken down as aforesaid, and whether signed by him or not, may be given in evidence without further proof thereof, unless it is proved that the examining justices purporting to sign the statement did not in fact sign it.

- (5) Immediately after complying with the requirements of this section relating to the statement of the accused, and whether the accused has or has not made a statement, the examining justices shall ask the accused whether he desires to give evidence on his own behalf and whether he desires to call witnesses.



If the accused in answer to the question states that he wishes to give evidence but not to call witnesses, the justices shall proceed to take forthwith the evidence of the accused, and after the conclusion of the evidence of the accused his counsel or solicitor shall be heard on his behalf if he so desires.

If the accused in answer to the question states that he desires to give evidence on his own behalf and to call witnesses, or to call witnesses only, the justices shall proceed to take either forthwith, or, if a speech is to be made by counsel or solicitor on behalf of the accused, after the conclusion of that speech, the evidence of the accused, if he desires to give evidence himself, and of any witness called by him who knows anything relating to the facts and circumstances of the case or anything tending to prove the innocence of the accused.

All statements made by the accused and all evidence given by him or any such witness as aforesaid (not being a witness merely to the character of the accused) under this subsection shall be taken down in writing and shall be transmitted to the court of trial, together with the depositions of the witnesses for the prosecution and the provisions of sub-section (1) of this section shall apply in the case of witnesses for the prosecution, except that the justices shall not bind over to attend the trial any witness who is a witness merely to the character of the accused.

- (6) Nothing contained in this section shall prevent the prosecutor in any case from giving in evidence at the trial any admission or confession or other statement of the accused made at any time which is by law admissible as evidence against the accused.

- (7) The depositions taken in connection with any charge for an indictable offence shall be signed by the justices before whom they are taken in such manner as may be directed by rules made under this Act, and where any such charge is enquired into by two or more examining justices, the deposition of a witness or the statement of the accused shall for all purposes be deemed to be sufficiently signed if signed by any one of those justices.
- (8) The examining justices shall, before determining whether they will or will not commit an accused person for trial, take into consideration his statement or any such evidence as is given in pursuance of this section by him or his witnesses. (C. J. A., 1925, Sec. 12.)

38. The room or building in which such justice or justices shall take such examinations and statement as aforesaid shall not be deemed an open court for that purpose; and it shall be lawful for such justice or justices, in his or their discretion, to order that no person shall have access to or be or remain in such room or building without the consent or permission of such justice or justices, if it appear to him or them that the ends of justice will be best answered by so doing. (I.O.A. 1848—s19.)

39. The justice or justices before whom any such witness shall be examined as aforesaid shall bind by recognizance the prosecutor and every witness to appear at the next sitting of the Supreme Court in St. John's or on Circuit, at which the accused is to be tried, then and there to prosecute, or to prosecute and give evidence, or to give evidence, as the case may be, against the party accused, which said recognizance shall particularly specify the profession, art, mystery, or trade of every such person entering into or acknowledging the same, together with his christian and surname and the place of his residence, and if his residence be in a city or town, the recognizance shall also particularly

specify the name of the street and the number (if any) of the house in which he resides, and whether he is owner or tenant thereof or lodger therein; and the said recognizance, being duly acknowledged by the person so entering into the same, shall be subscribed by the justice or justices before whom the same shall be acknowledged, and a notice thereof, signed by the said justice or justices, shall at the same time be given to the person bound thereby; and the several recognizances so taken together with the written information (if any), the depositions, the statement of the accused, and the recognizance of bail (if any) in every case, shall be delivered by the said justice or justices, or he or they shall cause the same to be delivered, to the proper officer of the court in which the trial is to be had, before or at the opening of the said court on the first day of the sitting thereof, or at such other time as the judge, who is to preside in such court at the said trial shall order and appoint: Provided always, that if any such witness shall refuse to enter into or acknowledge such recognizance as aforesaid it shall be lawful for such justice or justices of the peace, by his or their warrant to commit him to the common gaol for the place in which the accused party is to be tried, there to be imprisoned and safely kept until after the trial of such accused party, unless in the meantime such witness shall duly enter into such recognizance as aforesaid before some other justice of the peace: Provided, nevertheless, that if afterwards, from want of sufficient evidence in that behalf or other cause, the justice or justices before whom such accused party shall have been brought shall not commit him or hold him to bail for the offence with which he is charged, it shall be lawful for such justice or justices by his or their order in that behalf, to order and direct the keeper of such common gaol where such witness shall be so in custody to discharge him from the same, and such keeper shall thereupon forthwith discharge him accordingly. (I.O.A., 1848—s20.)

Binding over  
witnesses in  
certain cases.

40. (1) Where any person charged before examining justices with an indictable offence is committed for trial and it appears to the justices, after taking into account

anything which may be said with reference thereto by the accused or the prosecutor, that the attendance at the trial of any witness who has been examined before them is unnecessary by reason of anything contained in any statement by the accused, or of the accused having pleaded guilty to the charge or of the evidence of the witness being merely of a formal nature, the justices shall, if the witness has not already been bound over, bind him over to attend the trial conditionally upon notice given to him and not otherwise, or shall, if the witness has already been bound over, direct that he shall be treated as having been bound over to attend only conditionally as aforesaid, and shall transmit to the court of trial a statement in writing of the names, addresses and occupations of the witnesses who are, or who are to be treated as having been bound over to attend the trial conditionally.

- (2) Where a witness has been, or is to be treated as having been bound over conditionally to attend the trial, the prosecutor or the person committed for trial may give notice at any time before the opening of the next criminal sittings of the Supreme Court in St. John's or on Circuit as the case may be to the committing justice or justices and at any time thereafter to the Registrar of the Supreme Court or the clerk of the Court on circuit as the case may be, that he desires the witness to attend the trial, and such Justice, or registrar or clerk to whom any such notice is given shall forthwith notify the witness that he is required so to attend in pursuance of his recognizance.

The examining justices shall on committing the accused for trial inform him of his right to require the attendance at the trial of any such witness as aforesaid, and of the steps which he must take for the purpose of enforcing such attendance.

- (3) Where any person has been committed for trial for any offence, the deposition of any person taken before the examining justices may, if the conditions hereinafter set out are satisfied, without further proof be read as evidence on the trial of that person, whether for that offence or for any other offence arising out of the same transaction, or set of circumstances, as that offence.

The conditions hereinbefore referred to are the following :—

- (a) The deposition must be the deposition either of a witness whose attendance at the trial is stated to be unnecessary in accordance with the provisions of this section, or of a witness who is proved at the trial by the oath of a credible witness to be dead or insane, or so ill as not to be able to travel, or to be kept out of the way by means of the procurement of the accused or on his behalf :
- (b) It must be proved at the trial, either by a certificate purporting to be signed by the justice before whom the deposition purports to have been taken or by the oath of a credible witness, that the deposition was taken in the presence of the accused and that the accused or his counsel or solicitor had full opportunity for cross-examining the witness :
- (c) The deposition must purport to be signed by the justice before whom it purports to have been taken :

Provided that the provisions of this subsection shall not have effect in any case in which it is proved—



- (i) That the deposition, or, where the proof required by paragraph (b) of this subsection is given by means of a certificate, that the certificate, was not in fact signed by the justice by whom it purports to have been signed; or
  - (ii) Where the deposition is the deposition of a witness whose attendance at the trial is stated to be unnecessary as aforesaid, that the witness has been duly notified that he is required to attend the trial.
- (4) A witness whose attendance at the trial is stated to be unnecessary in accordance with the provisions of this section shall not be required to attend before the grand jury, and his deposition may be read as evidence before the grand jury.
- (5) Any documents or articles produced in evidence before the examining justices by any witness whose attendance at the trial is stated to be unnecessary in accordance with the provisions of this section and marked as exhibits shall, unless in any particular case the justices otherwise order, be retained by the justices and forwarded with the depositions to the court of trial. (C. J. A. 1925, Cap. 86, Sec. 13).

41. If, from the absence of witnesses, or from any <sup>Remanding</sup> other reasonable cause, it shall become necessary or advisable <sup>the accused.</sup> to defer the examination or further examination of the witnesses for any time, it shall be lawful to and for the justice or justices before whom the accused shall appear or be brought, by his or their warrant from time to time to remand the party accused for such time as by such justice or justices in their discretion shall be deemed reasonable, not exceeding unless the person remanded and the prosecutor consent eight clear days, to the common gaol or other prison, lock-up house, or place of security in the city,



or place at which such justice or justices shall then be acting, or to the nearest prison, lock-up house or place of security; or if the remand be for a time not exceeding three clear days it shall be lawful for such justice or justices ver-  
bally to order the constable or other person in whose custody such party accused may then be, or any other constable or person to be named by the said justice or justices in that behalf, to continue or keep such party accused in his custody, and to bring him before the same or such other justice or justices as shall be there acting at the time appointed for continuing such examination: Provided always, that any such justice or justices may order such accused party to be brought before him or them, or before any other justice or justices of the peace at any time before the expiration of the time for which such accused party shall be so remanded, and the gaoler or officer in whose custody he shall then be shall duly obey such order: Provided also, that, instead of detaining the accused party in custody during the period for which he shall be so remanded, any one justice of the peace before whom such accused party shall so appear or be brought as aforesaid may discharge him, upon his entering into a recognizance with or without a surety or sureties, at the discretion of such justice, conditioned for his appearance at the time and place appointed for the continuance of such examination; and if such accused party shall not afterwards appear at the time and place mentioned in such recognizance, then the said justice, or any other justice of the peace who may then and there be present, upon certifying on the back of the recognizance the nonappearance of such accused party, may transmit such recognizance to the Minister of Justice, to be proceeded upon in like manner as other recognizances, and such certificate shall be deemed sufficient *prima facie* evidence of such nonappearance of the said accused party. (I.O.A., 1848—s21 as amended C.J.A.A., 1914—s20.)

Sureties for  
appearance of  
accused and  
witnesses.

42. Where any person shall appear or be brought before a justice of the peace charged with any felony, or with any assault with intent to commit any felony, or with any attempt to commit any felony, or with obtaining or

attempting to obtain property by false pretences, or with a misdemeanour in receiving property stolen or obtained by false pretences, or with perjury or subornation of perjury, or with concealing the birth of a child by secret burying or otherwise, or with wilful or indecent exposure of the person, or with riot, or with assault in pursuance of a conspiracy to raise wages, or assault upon a peace officer in the execution of his duty, or upon any person acting in his aid, or with neglect or breach of duty as a peace officer, or with any misdemeanour, such justice of the peace may, in his discretion, admit such person to bail, upon his procuring or producing such surety or sureties as in the opinion of such justice will be sufficient to ensure the appearance of such accused person at the time and place when and where he is to be tried for such offence; and thereupon such justice shall take the recognizance of the said accused person and his surety or sureties, conditioned for the appearance of such accused person at the time and place of trial, and that he will then surrender and take his trial, and not depart the court without leave; and in all cases where a person charged with any indictable offence shall be committed to prison to take his trial for the same, it shall be lawful, at any time afterwards, and before the first day of the sitting or session, at which he is to be tried, or before the day to which such sitting or session may be adjourned, for the justice or justices of the peace who shall have signed the warrant for his commitment, in his or their discretion, to admit such accused person to bail in manner aforesaid; or if such committing justice or justices shall be of opinion that for any of the offences hereinbefore mentioned the said accused person ought to be admitted to bail, he or they shall in such cases, and in all other cases of misdemeanours, certify on the back of the warrant of commitment his or their consent to such accused party being bailed, stating also the amount of bail which ought to be required, it shall be lawful for any justice of the peace, attending or being at the gaol or prison where such accused party shall be in custody, on production of such certificate, to admit such accused person to bail in manner aforesaid; or if it shall be inconvenient for the surety or sureties in such a case to at-

tend at such gaol or prison to join with such accused person in the recognizance of bail, such committing justice or justices may make a duplicate of such certificate as aforesaid and upon the same being produced to any justice of the peace, it shall be lawful for such last-mentioned justice to take the recognizance of the surety or sureties in conformity with such certificate, and upon such recognizance being transmitted to the keeper of such gaol or prison, and produced together with the certificate on the warrant of commitment as aforesaid, to any justice of the peace attending or being at such gaol or prison, it shall be lawful for such last-mentioned justice thereupon to take the recognizance of such accused party, and to order him to be discharged out of custody as to that commitment, as herein-after mentioned; and where any person shall be charged before any justice of the peace with any indictable misdemeanor other than those hereinbefore mentioned, such justice, after taking the examinations in writing as aforesaid, instead of committing him to prison for such offence, shall admit him to bail in manner aforesaid, or if he have been committed to prison, and shall apply to any other justice of the peace before the first day of the sitting or session at which he is to be tried, or before the day to which such sitting or session may be adjourned, to be admitted to bail, such justice shall accordingly admit him to bail in manner aforesaid; and in all cases where such accused person in custody shall be admitted to bail by a justice of the peace other than the committing justice or justices as aforesaid, such justice of the peace so admitting him to bail shall forthwith transmit the recognizance or recognizances of bail to the committing justice or justices, or one of them, to be by him or them transmitted, with the examinations to the proper officer: Provided nevertheless, that no justice or justices of the peace shall admit any person to bail for treason or murder nor shall such person be admitted to bail, except by order of His Majesty's Attorney General, or by the Supreme Court, or a judge thereof in vacation. (I.O.A., 1848—s23.)

43. In all cases where a justice or justices of the peace shall admit to bail any person who shall then be in prison charged with the offence for which he shall be so admitted to bail, such justice or justices shall send to or cause to be lodged with the keeper of such prison a warrant of deliverance under his or their hand and seal or hands and seals, requiring the said keeper to discharge the person so admitted to bail, if he be detained for no other offence, and upon such warrant of deliverance being delivered to or lodged with such keeper he shall forthwith obey the same. (I.O.A., 1848—s24.)

44. When all the evidence offered upon the part of the prosecution against the accused party shall have been heard, if the justice or justices of the peace then present shall be of opinion that it is not sufficient to put such accused party upon his trial for any indictable offence, such justice or justices shall forthwith order such accused party, if in custody, to be discharged as to the information then under inquiry; but if, in the opinion of such justice or justices, such evidence is sufficient to put the accused party upon his trial for an indictable offence, or if the evidence given raise a strong or probable presumption of the guilt of such accused party, then such justice or justices shall, by his or their warrant, commit him to the common gaol to be there safely kept until he shall be thence delivered by due course of law, or admitted to bail as hereinbefore mentioned. (I.O.A., 1848—s23.)

45.—The constable or any of the constables or other persons to whom the said warrant of commitment shall be directed shall convey such accused person therein named or described to the gaol or other prison mentioned in such warrant, and there deliver him, together with such warrant, to the gaoler, keeper, or governor of such gaol or prison, who shall thereupon give such constable or other person so delivering such prisoner into his custody a receipt for such prisoner, setting forth the state and condition in which such prisoner was when he was delivered into the custody of such gaoler, keeper, or governor. (I.O.A., 1848—s26.)

Accused  
entitled to  
copy of  
depositions.

46.—At any time after all the examinations aforesaid shall have been completed, and before the first day of the sessions or other first sitting of the court at which any person so committed to prison or admitted to bail as aforesaid is to be tried, such person may require and shall be entitled to have, of and from the officer or person having the custody of the same, copies of the depositions on which he shall have been committed or bailed, on payment of a reasonable sum for the same, not exceeding at the rate of five cents each folio of ninety words. (I.O.A. 1848—s27.)

Forms.

47. The several forms in the Fifth schedule to this act contained, or forms to the same or like effect, shall be deemed good, valid, and sufficient in law. (I.O.A. 1848—s28.)

Stipendiary  
Magistrate's  
powers alone.

48. Any one of the Stipendiary Magistrates appointed or hereafter to be appointed, shall have full power to do alone whatsoever is authorised by this act to be done by any one or more justice or justices of the peace; and the several forms in the schedule to this act contained may be varied, so far as it may necessary to render them applicable to the sitting of such stipendiary magistrates. (I.O.A., 1848—s29.)

### *Summary Proceedings*

Offence triable  
before Magis-  
trate or two or  
more Justices.

49. A Stipendiary Magistrate, or two or more Justices of the Peace, shall have power to try in a summary manner without a jury the offences set forth in the Part 1 of the third Schedule hereto, and also all offences power to try which is conferred upon him or them by any Act of this Colony, whether the same are included in the Third Schedule hereto or not.

Compensation  
in certain  
cases.

50. In cases of conviction under the Third Schedule hereto, except in cases under Parts II and III where a party has been injured in his person, or by loss of goods, he may, on his motion or with his consent, be awarded reasonable compensation for his loss, injury and expenditure of money and time in a sum not exceeding one hundred and fifty dol-



lars, to be recovered from the party charged, in addition to any other punishment by way of fine or imprisonment inflicted upon him; and, in default of immediate payment, the offender may be sentenced to a term of imprisonment, in addition to any other punishment, not exceeding three months.

51. The amount of such compensation may be levied under warrant of any Justice, by distress and sale of the offender's goods and chattels, wherever they may be found in this Colony, and shall be paid to the prosecutor, and the surplus (if any) arising from such sale shall be paid to the owner; and in case such amount shall be so levied or the party charged shall pay the same, the imprisonment awarded on this account shall not be enforced, or shall thereupon cease, as the case may be.

52. The recovery by the person injured of a compensation under section 50 shall be a bar to any civil action for the same offence at the suit of such person.

53. In all cases of summary proceedings before a justice or justices of the peace upon any information or complaint as aforesaid, it shall be lawful for one justice to receive such information or complaint, and to grant a summons or warrant thereon, and to issue his summons or warrant to compel the attendance of any witnesses, and to do all other necessary acts and matters preliminary to the hearing, even in cases where by statute in that behalf such information or complaint must be heard and determined by two or more justices; and after the case shall have been so heard and determined one justice may issue all warrants of distress or commitment thereon; and it shall not be necessary that the justice who so acts before or after such hearing shall be the justice or one of the justices by whom the said case shall be heard and determined: Provided always, that in all cases where by statute it is or shall be required that any such information or complaint shall be heard and determined by two or more justices, or that a conviction or order shall be made by two or more justices,



such justices must be present and acting together during the whole of the hearing and determination of the case. (S.J.A. 1848—s.29.)

Justice may  
issue process in  
certain cases.

54. In all cases where an information shall be laid before one or more justices of the peace within Newfoundland or its Dependencies, that any person has committed or is suspected to have committed any offence or act within the jurisdiction of such justice or justices for which he is liable by law upon a summary conviction for the same before a justice or justices of the peace, to be imprisoned or fined, or otherwise punished; and also in all cases where a complaint shall be made to any such justice or justices upon which he or they have or shall have authority by law to make any order for the payment of money or otherwise, then and in every such case it shall be lawful for such justice or justices of the peace to issue his or their summons directed to such person, stating shortly the matter of such information or complaint, and requiring him to appear at a certain time and place before the same justice or justices, or before such other justice or justices as shall then be there, to answer to the said information or complaint, and to be further dealt with according to law; and every such summons shall be served by a constable or other person to whom the same shall be delivered, upon the person to whom it is so directed by delivering the same to the party personally, or by leaving the same with some person for him at his last or most usual place of abode, and the constable, or person who shall serve the same in manner aforesaid shall attend at the time and place and before the justices in the said summons mentioned, to depose, if necessary, to the service of the said summons: Provided always, that nothing herein mentioned shall oblige any justice or justices of the peace to issue any such summons in any case where the application for any order of justices is by law to be made *ex parte*: Provided also that no objection shall be taken or allowed to any information, complaint, or summons, for any alleged defect therein in substance or in form, or for any variance between such information, complaint, or summons and the evidence adduced on the part of the informant or complain-

ant at the hearing of such information or complaint as hereinafter mentioned; but if any such variance shall appear to the justice or justices present and acting at such hearing to be such that the party so summoned and appearing has been thereby deceived or misled, it shall be lawful for such justice or justices, upon such terms as he or they shall think fit to adjourn the hearing of the case to some future day. (S.J.A. 1848—sl.)

55. If the person so served with a summons as afore-Justices may  
said shall not be and appear before the justice or the jus<sup>issue Warrant</sup>  
tices at the time and place mentioned in such<sup>in default of</sup>  
summons, and it shall be made to appear to such justice or  
justices, by oath or affirmation, that such summons was so  
served in what shall be deemed by such justice or justices to  
be a reasonable time before the time therein appointed for  
appearing to the same, then it shall be lawful for such justice  
or justices, if he or they shall think fit, upon oath or affirma-  
tion being made before him or them substantiating the mat-  
ter of such information or complaint to his or their satis-  
faction, to issue his or their warrant to apprehend the  
party so summoned, and to bring him before the same jus-  
tice or justices, or before some other justice or justices to  
answer to the said information or complaint, and to be fur-  
ther dealt with according to law; or upon such information  
being laid as aforesaid for any offence punishable on con-  
viction the justice or justices before whom such informa-  
tion shall have been laid may, if he or they shall think fit,  
upon oath or affirmation being made before him or them  
substantiating the matter of such information to his or  
their satisfaction, instead of issuing such summons as afore-  
said, issue in the first instance his or their warrant for ap-  
prehending the person against whom such information shall  
have been so laid, and bringing him before the same justice  
or justices, or before some other justice or justices to  
answer to the said information, and to be further dealt with  
according to law; or if where a summons shall be so issued  
as aforesaid, and upon the day and at the place appointed  
in and by the said summons for the appearance of the  
party so summoned, such party shall fail to appear accord-

ingly in obedience to such summons, then and in every such case, if it be proved upon oath or affirmation to the justice or justices then present that such summons was duly served upon such party a reasonable time before the time so appointed for his appearance as aforesaid, and if the said justice or justice is or are satisfied that the summons has been brought to his notice, it shall be lawful for such justice or justices of the peace to proceed *ex parte* to the hearing of such information or complaint, and to adjudicate thereon, as fully and effectually, to all intents and purposes, as if such party had personally appeared before him or them in obedience to the said summons. (S.J.A., 1848—s2.)

Warrant to be  
under hand and  
seal, &c.

56.—Every such warrant to apprehend a defendant, that he may answer to any such information or complaint as aforesaid, shall be under the hand and seal or hands and seals of the justice or justices issuing the same, and may be directed either to any constable or other person by name, or generally to all constables without naming them, and it shall state shortly the matter of the information or complaint on which it is founded, and shall name or otherwise describe the person against whom it has been issued, and it shall order the constable or other person to whom it is directed to apprehend the said defendant, and to bring him before one or more justice or justices of the peace (as the case may require) to answer to the said information or complaint, and to be further dealt with according to law; and it shall not be necessary to make such warrant returnable at any particular time, but the same may remain in full force until it shall be executed; and such warrant may be executed by apprehending the defendant at any place within Newfoundland or its Dependencies; and in all cases where such warrant shall be directed to all constables, it shall be lawful for any constable to execute such warrant in like manner as if such warrant were directed specially to such constable by name: Provided always, that no objection shall be taken or allowed to any such warrant to apprehend a defendant so issued upon any such information or complaint as aforesaid under or by virtue of this act, for any alleged defect therein in substance or in form, or for any

variance between it and the evidence adduced on the part of the informant or complainant as hereinafter mentioned; but if any such variance shall appear to the justice or justices present and acting at such hearing to be such that the party so apprehended under such warrant has been thereby deceived or misled, it shall be lawful for such justice or justices, upon such terms as he or they shall think fit, to adjourn the hearing of the case to some future day, and in the meantime to commit the said defendant to a prison, lockup house, or place of security, or to such other custody as the said justice or justices shall think fit, or to discharge him upon his entering into a recognizance with or without surety or sureties, at the discretion of such justice or justices, conditioned for his appearance at the time and place to which such hearing shall be so adjourned: Provided always, that in all cases where a defendant shall be discharged upon recognizance as aforesaid, and shall not afterwards appear at the time and place in such recognizance mentioned, then the said justice who shall have taken the said recognizance, or any justice or justices, who may then be there present, upon certifying upon the back of the said recognizance the nonappearance of the defendant, may transmit such recognizance to the Minister of Justice to be proceeded upon in like manner as any other recognizance, and such certificate shall be deemed sufficient *prima facie evidence* of such nonappearance of the said defendant. (S.J.A., 1848—s3.)

57. In any information or complaint, or the proceedings thereon, in which it shall be necessary to state the ownership of any property belonging to or in possession of partners, joint tenants, or tenants in common, it shall be sufficient to name one of such persons, and to state the property to belong to the person so named and another or others, as the case may be, and whenever in any information or complaint, or the proceedings thereon, it shall be necessary to mention, for any purpose whatsoever, any partners, joint tenants, or tenants in common, it shall be sufficient to describe them in manner aforesaid; and whenever in any such information or complaint, or the proceedings thereon,

it shall be necessary to describe the ownership of any work or building made, maintained, or repaired at the expense of the Government of Newfoundland or any public authority or body, or of any materials for the making, altering, or repairing of the same, they may be therein described as the property of His Majesty or of such public authority or body respectively. (S.J.A., 1848—s4.)

Aiding and  
abetting an  
offence.

58. Every person who shall aid, abet, counsel, or procure the commission of any offence which is or hereafter shall be punishable on summary conviction shall be liable to be proceeded against and convicted for the same, either together with the principal offender, or before or after his conviction, and shall be liable on conviction to the same forfeiture and punishable as such principal offender is or shall be by law liable, and may be proceeded against and convicted either in the place where such principal offender may be convicted, or in which such offence of aiding, abetting, counselling, or procuring may have been committed, or in any other place within Newfoundland and its Dependencies. (S.J.A., 1848—s5.)

Compelling  
witnesses to  
attend and  
give evidence.

59. If it shall be made to appear to any justice of the peace, by the oath or affirmation of any credible person, that any person within the jurisdiction is likely to give material evidence on behalf of the prosecutor or complainant or defendant, and will not voluntarily appear for the purpose of being examined as a witness at the time and place appointed for the hearing of such information or complaint, such justice may and is hereby required to issue his summons to such person under his hand and seal, requiring him to be and appear at a time and place mentioned in such summons before the said justice, or before such other justice or justices as shall then be there, to testify what he shall know concerning the matter of the said information or complaint; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by the said summons, and no just excuse shall be offered for such neglect or refusal then (after proof upon oath or affirmation of such summons having been served upon such person,



either personally or by leaving the same for him with some person at his last or most usual place of abode, and that a reasonable sum was paid or tendered to him for his costs and expenses in that behalf), it shall be lawful for the justice or justices before whom such person should have appeared to issue warrant under his or their hands and seals to bring and have such person, at a time and place to be therein mentioned, before the justice who issued the said summons, or before such other justice or justices as shall then be there, to testify as aforesaid, or if such justice shall be satisfied by evidence upon oath or affirmation, that it is probable that such person will not attend to give evidence without being compelled so to do, then, instead of issuing such summons, it shall be lawful for him to issue his warrant in the first instance, and if on the appearance of such person so summoned before the said last-mentioned justice or justices, either in obedience to the said summons or upon being brought before him or them by virtue of the said warrant, such person shall refuse to be examined upon oath or affirmation concerning the premises, or shall refuse to take such oath or affirmation, or, having taken such oath or affirmation, shall refuse to answer such questions concerning the premises as shall then be put to him, without offering any just excuse for such refusal, any justice of the peace then present, may by warrant under his hand and seal commit the person so refusing to the common gaol, there to remain and be imprisoned for any time not exceeding seven days, unless he shall in the meantime consent to be examined and to answer concerning the premises. (S.J.A., 1848—s7)

60. In all cases of complaints upon which a justice or <sup>Complaints for</sup> justices of the peace may make an order for the payment <sup>payment of</sup> of money or otherwise it shall not be necessary that such complaint shall be in writing, unless it shall be required to be so by some particular act of the legislature. (S.J.A., 1848—s8)

61. In all cases of information for any offence or act, <sup>Variation</sup> punishable upon summary conviction, any variance be- <sup>between</sup> <sup>information</sup> <sup>and evidence.</sup>



tween such information and the evidence adduced in support thereof as to the time at which such offence or act shall be alleged to have been committed shall not be deemed material, if it be proved that such information was in fact laid within the time limited by law for laying the same; and any variance between such information and the evidence adduced in support thereof as to the place in which the offence or act shall be alleged to have been committed shall not be deemed material, provided that the offence or act be proved to have been committed within Newfoundland and its Dependencies; and if any such variance, or any variance in any other respect between such information and the evidence adduced in support thereof, shall appear to the justice or justices present and acting at the hearing to be such that the party charged by such information has been thereby deceived or misled, it shall be lawful for such justice or justices, upon such terms as he or they shall think fit, to adjourn the hearing of the case to some future day, and in the meantime to commit the said defendant to the prison, lock-up house or place of security, or to such other custody as the said justice or justices shall think fit or to discharge him upon his entering into a recognizance with or without surety or sureties, at the discretion of such justice or justices, conditioned for his appearance at the time and place to which such hearing shall be so adjourned. (S.J.A., 1848—s9.)

Complaint or  
information  
may be laid  
without oath in  
certain cases.

62. Every such complaint upon which a justice or justices of the peace is or are or shall be authorised by law to make an order, and every information for any offence or act punishable upon summary conviction, unless some particular act of the legislature shall otherwise require, may respectively be made or laid without any oath or affirmation being made of the truth thereof; excepting in cases of informations where the justice or justices receiving the same shall thereupon issue his or their warrant in the first instance to apprehend the defendant as aforesaid, and in every case where the justice or justices shall issue his or their warrant in the first instance the matter of such information shall be substantiated by the oath or affirmation

of the informant, or by some witness or witnesses on his behalf, before any such warrant shall be issued; and every such complaint shall be for one matter of complaint only, and not for two or more matters of complaint; and every such information shall be for one offence only, and not for two or more offences; and every such complaint or information may be laid or made by the complainant or informant in person, or by his counsel or solicitor or other person authorised in that behalf. (S.J.A. 1848—s10.)

63. In all cases where no time is already or shall <sup>Complaint to</sup> hereafter be specially limited for making any such com- <sup>be laid within</sup> plaint or laying any such information in the act or acts of <sup>twelve months.</sup> the legislature relating to each particular case, such complaint shall be made and such information shall be laid within twelve calendar months from the time when the matter of such complaint or information respectively arose. (S.J.A., 1848—s11.)

64. Every such complaint and information shall be <sup>Hearing and</sup> heard, tried, determined and adjudged by one or two or <sup>determination</sup> more justice or justices of the peace, as shall be directed <sup>of complaints.</sup> by the act of the legislature or Imperial Act if any applicable in this Colony upon which such complaint or information shall be framed, or such other act or acts of the legislature as there may be in that behalf; and the room or place in which such justice or justices shall sit to hear and try any such complaint or information shall be deemed an open and public court, to which the public generally may have access, so far as the same can conveniently contain them; and the party against whom such complaint is made or information laid shall be admitted to make his full answer and defence thereto, and to have the witnesses examined and cross-examined by counsel or solicitor on his behalf; and every complainant or informant in any such case shall be at liberty to conduct such complaint or information respectively and to have the witnesses examined and cross-examined by counsel or solicitor on his behalf. (S.J.A., 1848—s12.)

Procedure in  
default of  
appearance.

65. If at the time and place appointed in and by the summons aforesaid for hearing and determining such complaint or information the defendant against whom the same shall have been made or laid shall not appear when called, the constable or other person who shall have served him with the summons in that behalf shall then declare upon oath in what manner he served the said summons; and if it appears to the satisfaction of the justice or justices that he duly served the said summons, in that case such justice or justices may proceed to hear and determine the case in the absence of such defendant, or the said justice or justices, upon the non-appearance of such defendant as aforesaid, may, if he or they think fit, issue his or their warrant in manner hereinbefore directed, and shall adjourn the hearing of the said complaint or information until the said defendant shall be apprehended; and when such defendant shall afterwards be apprehended under such warrant he shall be brought before the same justice or justices, or some other justice or justices who shall thereupon, either by his or their warrant commit such defendant to the prison, lock-up house or place of security, or, if he or they think fit, verbally to the custody of the constable or other person who shall have apprehended him, or to such other safe custody as he or they shall deem fit, and order the said defendant to be brought up at a certain time and place before such justice or justices of the peace as shall then be there, of which said order the complainant or informant shall have due notice; or, if upon the day and at the place so appointed as aforesaid such defendant shall attend voluntarily in obedience to the summons in that behalf served upon him, or shall be brought before the said justice or justices by virtue of any warrant, then, if the complainant or informant, having had such notice as aforesaid, do not appear, by himself, his counsel or solicitor, the said justice or justices shall dismiss such complaint or information, unless for some reason he or they shall think proper to adjourn the hearing of the same unto some other day, upon such terms as he or they shall think fit, in which case such justice or justices may commit the defendant in the meantime to the prison, lock-up house or place of security, or to

such other custody as such justice or justices shall think fit, or may discharge him upon his entering into a recognizance with or without surety or sureties, at the discretion of such justice or justices conditioned for his appearance at the time and place to which such hearing shall be so adjourned; but if both parties appear, either personally or by their respective counsel or solicitors, before the justice or justices who are to hear and determine such complaint or information, then the said justice or justices shall proceed to hear and determine the same. (S.J.A., 1848—s13.)

66. Where such defendant shall be present at such <sup>Hearing:</sup> hearing the substance of the information or complaint shall <sup>Procedure.</sup> be stated to him, and he shall be asked if he have any cause to show why he should not be convicted, or why an order should not be made against him, as the case may be, and if he thereupon admit the truth of such information or complaint, and show no cause or no sufficient cause why he should not be convicted, or why an order should not be made against him, as the case may be, then the justice or justices present at the said hearing shall convict him or make an order against him accordingly; but if he do not admit the truth of such information or complaint as aforesaid, then the said justice or justices shall proceed to hear the prosecutor or complainant, and such witnesses as he may examine and such other evidence as he may adduce, in support of his information or complaint respectively, and also to hear the defendant and such witnesses as he may examine and such other evidence as he may adduce in his defence, and also to hear such witnesses as the prosecutor or complainant may examine in reply, if such defendant shall have examined any witnesses or given any evidence other than as to his the defendant's general character; but the prosecutor or complainant shall not be entitled to make any observations in reply upon the evidence given by the defendant, nor shall the defendant be entitled to make any observations in reply upon the evidence given by the prosecutor or complainant in reply as aforesaid; and the said justice or justices, having heard what each party shall have to say as aforesaid, and the witnesses and evi-

dence so adduced, shall consider the whole matter, and determine the same, and shall convict or make an order upon the defendant, or dismiss the information or complaint, as the case may be; and if he or they convict or make an order against the defendant, a minute or memorandum thereof shall then be made, for which no fee shall be paid, or if the said justice or justices shall dismiss such information or complaint, it shall be lawful for such justice or justices, if he or they shall think fit, being required so to do, to make an order of dismissal of the same, and shall give the defendant in that behalf a certificate thereof, which said certificate afterwards, upon being produced, without further proof, shall be a bar to any subsequent information or complaint for the same matters respectively, against the same party: Provided always, that if the information or complaint in any such case shall negative any exemption, exception, proviso or condition in the statute on which the same shall be framed, it shall not be necessary for the prosecutor or complainant in that behalf to prove such negative, but the defendant may prove the affirmative thereof in his defence, if he would have advantage of the same. (S.J.A., 1848—s.14.)

Witnesses to be  
sworn.

67. Every witness at any such hearing as aforesaid shall be examined upon oath or affirmation, and the justice or justices before whom any such witness shall appear for the purpose of being so examined shall have full power and authority to administer to every witness the usual oath or affirmation: (S.J.A. 1848—s15.)

Adjournment  
of hearing.

68. Before or during such hearing of any such information or complaint it shall be lawful for any one justice, or for the justices present, in their discretion, to adjourn the hearing of the same to a certain time and place to be then appointed and stated in the presence and hearing of the party or parties, or their respective solicitors or agents then present, and in the meantime the said justice or justices may suffer the defendant to go at large, or may commit him to the common gaol or other prison, lock-up house, or place of security, or to such other safe custody as the



said justice or justices shall think fit, or may discharge such defendant upon his entering into a recognizance, with or without surety or sureties, at the discretion of such justice or justices, conditioned for his appearance at the time and place to which such hearing or further hearing shall be adjourned; and if at the time or place to which such hearing or further hearing shall be so adjourned either or both of the parties shall not appear personally, or by his or their counsel or solicitors respectively, before the said justice or justices, or such other justice or justices as shall then be there, it shall be lawful for the justice or justices then there present to proceed to such hearing or further hearing as if such party or parties were present; or if the prosecutor or complainant shall not appear, the said justice or justices may dismiss such information or complaint, with or without costs, as to such justices shall seem fit. (S.J.A., 1848—s.16.)

69. In all cases of summary conviction or of orders made by a justice or justices of the peace it shall be lawful for the justice or justices making the same, in his or their discretion, to award and order in and by such conviction or order that the defendant shall pay to the prosecutor or complainant respectively such costs as to such justice or justices shall seem just and reasonable in that behalf; and in cases where such justice or justices, instead of convicting or making an order as aforesaid shall dismiss the information or complaint, it shall be lawful for him or them, in his or their discretion, in and by his or their order of dismissal to award and order that the prosecutor or complainant respectively shall pay to the defendant such costs as to such justice or justices shall seem just and reasonable, and the sums so allowed for costs shall in all cases be specified in such conviction or order, or order of dismissal aforesaid, and the same shall be recoverable in the same manner and under the same warrants as any penalty or sum of money adjudged to be paid in and by such conviction or order is to be recoverable; and in cases where there is no such penalty or sum to be thereby recovered, then such costs shall be recoverable by distress and sale of the goods

Costs: Order  
for payment.

and chattels of the party, and in default of such distress by imprisonment, with or without hard labour, for any time not exceeding in respect of any given sum the corresponding period set out in the fourth Schedule to this Act. (S.J.A., 1848—s18.)

Defendant to  
be served with  
minutes of  
order before  
commitment or  
distress.

70. In all cases where by any act of the legislature authority is given to commit a person to prison, or to levy any sum upon his goods or chattels by distress, for not obeying any order of a justice or justices, the defendant shall be served with a copy of the minute of such order before any warrant of commitment or of distress shall issue in that behalf, and such order or minute shall not form any part of such warrant of commitment or of distress. (S.J.A., 1848—s17.)

Warrants of  
distress in  
certain cases.

71. Where a conviction adjudges a pecuniary penalty or compensation to be paid, or where an order requires the payment of a sum of money, and by the statute authorizing such conviction or order such penalty, compensation, or sum of money is to be levied upon the goods and chattels of the defendant by distress and sale thereof, and also in cases where by the statute in that behalf no mode of raising or levying such penalty, compensation, or sum of money or of enforcing the payment of the same, is stated or provided, it shall be lawful for the justice or justices making such conviction or order, or for any justice of the peace, to issue his or their warrant of distress for the purpose of levying the same, which said warrant of distress shall be in writing under the hand and seal of the justice making the same; by virtue of which said warrant the penalty or sum aforesaid, and costs, or so much thereof as may not have been before levied or paid, shall and may be levied by the person bringing such warrant, or by the person or persons to whom such warrant was originally directed, or by any constable, by distress and sale of the goods and chattels of the defendant. (S.J.A., 1848—s19.)

Defendant may  
be detained.  
&c.

72. In all cases where a justice of the peace shall issue any such warrant of distress it shall be lawful for him to

suffer the defendant to go at large, or verbally or by a written warrant in that behalf, to order the defendant to be kept and detained in safe custody until return shall be made to such warrant of distress, unless such defendant shall give sufficient security, by recognizance or otherwise, to the satisfaction of such justice, for his appearance before him at the time and place appointed for the return of such warrant of distress, or before such other justice or justices as may then be there. (S.J.A., 1840—s20.)

73. If at the time and place appointed for the return of any such warrant of distress the constable who shall have had the execution of the same shall <sup>Warrant of commitment in default of</sup> return that he <sup>distress.</sup> could find no goods or chattels or no sufficient goods or chattels whereon he could levy the sums or sums therein mentioned, together with the costs of or occasioned by the levying of the same, it shall be lawful for the justice of the peace before whom the same shall be returned to issue his warrant of commitment under his hand and seal, directed to the same or any other constable, reciting the conviction or order shortly, the issuing of the warrant of distress, and the return thereto, and requiring such constable to convey such defendant to the common gaol, and there to deliver him to the keeper thereof, and requiring such keeper to receive the defendant into such gaol, and there to imprison him, or to imprison him and keep him to hard labour, in such manner and for such time as shall have been directed and appointed by the statute on which the conviction or order mentioned in such warrant of distress was founded, unless the sum or sums adjudged to be paid, and all costs and charges of the distress, and also the costs and charges of the commitment if such justice shall think fit so to order (the amount thereof being ascertained and stated in such commitment), shall be sooner paid. (S.J.A., 1848—s21.)

74. In all cases of convictions where the statute on which the same are respectively founded provides no remedy in case it shall be returned to a warrant of distress thereon that no sufficient goods of the party against whom

<sup>Commitment to gaol in default of distress.</sup>

such warrant shall have been issued can be found, it shall nevertheless be lawful for the justice to whom such return is made, or to any other justice, if he or they shall think fit, by his warrant as aforesaid, to commit the defendant to the common gaol as aforesaid for any term not exceeding three calendar months, unless the sum or sums adjudged to be paid, and all costs and charges of the distress, and of the commitment and conveying of the defendant to prison (the amount thereof being ascertained and stated in such commitment), shall be sooner paid. (S.J.A., 1848—s22.)

Regulations  
respecting  
warrants of  
distress.

75. The following regulations shall be enacted with respect to warrants of distress issued by a court of summary jurisdiction :

- (1) A warrant of distress shall be executed by or under the direction of a constable; and
- (2) Save so far as the person against whom the distress is levied otherwise consents in writing, the distress shall be sold by public auction, and five clear days at the least shall intervene between the making of the distress and the sale, and where written consent is so given as aforesaid the sale may be made in accordance with such consent; and
- (3) Subject as aforesaid, the distress shall be sold within the period fixed by the warrant, and if no period is so fixed then within the period of fourteen days from the date of the making of the distress, unless the sum for which the warrant was issued, and also the charges of taking and keeping the said distress, are sooner paid; and
- (4) Subject to any directions to the contrary given by the warrant of distress, where the distress is levied on household goods the goods shall not, except with the consent in writing of the person

against whom the distress is levied, be removed from the house until the day before the day of sale, but so much of the goods shall be impounded as are in the opinion of the person executing the warrant sufficient to satisfy the distress, by affixing to the articles impounded a conspicuous mark; and any person removing any goods so marked, or defacing or removing the said mark, shall on summary conviction be liable to a fine not exceeding twenty-five dollars; and

- (5) Where a person charged with the execution of a warrant of distress wilfully retains from the proceeds of any goods sold to satisfy the distress, or otherwise exacts, any greater costs and charges than those to which he is for the time being entitled by law, or makes any improper charge, he shall be liable on summary conviction to a fine not exceeding twenty-five dollars; and
- (6) A written account of the costs and charges incurred in respect of the execution of any warrant of distress shall be sent by the constable charged with the execution of the warrant as soon as practicable to the magistrate, justices or clerk of the court summary jurisdiction issuing the warrant; and it shall be lawful for the person upon whose goods the distress was levied, within one month after the levy of distress, to inspect such account without fee or reward at any reasonable time to be appointed by the court, and to take a copy of such account; and
- (7) A constable charged with the execution of a warrant of distress shall cause the distress to be sold, and may deduct out of the amount realised by such sale all costs and charges actually incurred in effecting such sale, and shall render to the owner the overplus, if any, after retaining the amount of the sum for which the warrant



was issued with the proper costs and charges of the execution of the warrant; and

- (8) Where a person pays or tenders to the constable charged with the execution of a warrant of distress the sum mentioned in such warrant, or produces the receipt for the same of the magistrate, or justices or clerk of the court of summary jurisdiction issuing the warrant, and also the amount of the costs and charges of such distress up to the time of such payment or tender, the constable shall not execute the warrant.

Commitment of  
defendant in  
certain cases  
under statute.

76. In all cases where the statute by virtue of which a conviction for a penalty or compensation, or an order for the payment of money, is made, makes no provision for such penalty or compensation or sum being levied by distress, but directs that if the same be not paid forthwith, or within a certain time therein mentioned, or to be mentioned in such conviction or order, the defendant shall be imprisoned, or imprisoned and kept to hard labour for a certain time, unless such penalty, compensation, or sum shall be sooner paid, in every such case such penalty, compensation, or sum shall not be levied by distress; but if the defendant do not pay the same, together with costs, if awarded, forthwith, or at the time specified in such conviction or order for the payment of the same, it shall be lawful for the justice or justices making such conviction or order, or for any other justice to issue his or their warrant of commitment under his or their hand and seal or hands and seals, requiring the constable or constables to whom the same shall be directed to take and convey such defendant to the common gaol, and there to deliver him to the keeper thereof, and requiring such keeper to receive such defendant into such gaol, and there to imprison him, or to imprison him and keep him to hard labour as the case may be, for such time as the statute on which such conviction or order is founded as aforesaid shall direct, unless the sum or sums adjudged to be paid shall be sooner paid. (S.J.A., 1848—s23.)

- (1) A court of summary jurisdiction to whom application is made either to issue a warrant of distress for any sum adjudged to be paid by a conviction or order, or to issue a warrant for committing a person to prison for non-payment of a sum of money adjudged to be paid by a conviction, or in the case of a sum not a civil debt by an order, or for default of sufficient distress to satisfy any such sum, may, if the court deem it expedient so to do, postpone the issue of such warrant until such time and on such conditions, if any, as to the court may seem just.
- (2) The wearing apparel and bedding and necessary cooking apparatus of a person and his family, and, to the value of two hundred and fifty dollars, the tools and implements of his trade, shall not be taken under a distress issued by a court of summary jurisdiction. (S.J.A., 1879—s21.)
- (3) Where a sum is adjudged to be paid by a conviction of a court of summary jurisdiction, or in the case of a sum not a civil debt by an order of such court, and on default of payment of such sum a warrant of distress is authorised to be issued, the court may, in any case in which it appears expedient to do so, instead of issuing a warrant of distress, issue a warrant of commitment:

Provided that where time is not allowed for the payment of such sum, a warrant of commitment shall not be issued in the first instance, unless it appears to the court that the offender has no goods or insufficient goods to satisfy the money payable or that the levy of distress will be more injurious to him or his family than imprisonment.

- (4) Where a sum is adjudged to be paid by a conviction or order of a court of summary jurisdiction, and, by the statute authorizing such conviction or order, a mode of enforcing the payment thereof is provided which does not authorise the issue of a warrant of distress for the purpose, a warrant of distress may nevertheless be issued in like manner in all respects and with the like consequences as if no mode of enforcing the payment were provided in such statute. (C.J.A.A., 1914—s25.)
- (5) Where a warrant of distress is issued by a court of summary jurisdiction it shall authorise the person charged with the execution thereof to take any amount in money as well as any goods of the person against whom the distress is levied, and any money so taken shall be treated as if it were the proceeds of sale of goods taken under the warrant, and the provisions of this Act shall apply accordingly. (C.J.A.A., 1914—s.4.)

Commitment in  
cases for  
default of  
doing a certain  
act, &c.

78. Where a conviction does not order the payment of any penalty, but that the defendant be imprisoned, or imprisoned and kept to hard labour, for his offence, or where an order is not for the payment of money, but for the doing of some other act, and directs that in case of the defendant's neglect or refusal to do such act he shall be imprisoned, or imprisoned and kept to hard labour, and the defendant neglects or refuses to do such act, in every such case it shall be lawful for such justice or justices making such conviction or order, or for some other justice or justices to issue his or their warrant of commitment under his or their hand and seal or hands and seals, and requiring the constable or constables to whom the same shall be directed, to take and convey such defendant to the common gaol and there to deliver him to the keeper thereof, and requiring such keeper to receive such defendant into such gaol, and

there to imprison him, or to imprison him and keep him to hard labour, as the case may be, for such time as the statute on which such conviction or order is founded as aforesaid shall direct; and in all such cases, where by such conviction or order any sum for costs shall be adjudged to be paid by the defendant to the prosecutor or complainant such sum may, if the justice or justices shall think fit, be levied by warrant of distress in manner aforesaid, and in default of distress the defendant may, if such justice or justices shall think fit, be committed to the same common gaol in manner aforesaid, there to be imprisoned for any time not exceeding one calendar month, to commence at the termination of the imprisonment he shall then be undergoing, unless such sum for costs, and all costs and charges of the said distress shall be sooner paid. (S.J.A., 1848—s24.)

79. Where a justice or justices of the peace shall upon any such information or complaint as aforesaid adjudge the defendant to be imprisoned, and such defendant shall then be in prison undergoing imprisonment upon a conviction for any other offence, the warrant of commitment for such subsequent offence shall in every case be forthwith delivered to the gaoler to whom the same shall be directed. (S.J.A., 1848—s25.)

Warrant in  
case of subse-  
quent offences.

80. Where a sentence of imprisonment is passed on any person by a court of summary jurisdiction, the court may order that the sentence shall commence at the expiration of any other term of imprisonment to which that person has been previously sentenced, so, however, that where two or more sentences passed by a court of summary jurisdiction are ordered to run consecutively the aggregate term of imprisonment shall not exceed twelve months. (C.J.A., 1914—s18.)

Commence-  
ment of sen-  
tence.

Provided, however, that where a person has been sentenced by a court of summary jurisdiction to imprisonment in default of payment of a fine, the court may, notwithstanding anything in any enactment, order that the sentence shall begin at the expiration of any term of imprison-

ment imposed for that offence on that person in addition to the fine. (C.J.A., 1925—s27.)

Costs: Defendant's distress

81. Where any information or complaint shall be dismissed with costs as aforesaid, the sum which shall be awarded for costs in the order for dismissal may be levied by distress on the goods and chattels of the prosecutor or complainant in manner aforesaid. (S.J.A., 1848—p.26.)

Appeal: failure: Commitment thereupon

82. After an appeal against any such conviction or order as aforesaid shall be decided, if the same shall be decided in favour of the respondents, the justice or justices who made such conviction or order, or any other justice, may issue such warrant of distress or commitment as aforesaid for execution of the same, as if no such appeal had been brought; and if upon any such appeal the Supreme Court shall order either party to pay costs, such order shall direct such costs to be paid to the justice or justices or clerk of the peace of such court, to be by him paid over to the party entitled to the same, and shall state within what time such costs shall be paid: and if the same shall not be paid within the time so limited, and the party ordered to pay the same shall not be bound by any recognizance conditioned to pay such costs, such justice or justices or clerk of the peace upon application of the party entitled to such costs, or of any person on his behalf, and on payment of a fee of twenty-five cents shall grant to the party so applying a certificate that such costs have not been paid; and upon production of such certificate to any justice or justices, it shall be lawful for him or them to enforce the payment of such costs by warrant of distress in manner aforesaid. (S.J.A., 1848—s27.)

Discharge of accused upon payment.

83. In all cases where any person against whom a warrant of distress shall issue as aforesaid shall pay or tender to the constable having the execution of the same the sum or sums in such warrant mentioned, together with the amount of the expenses of such distress up to the time of such payment or tender, such constable shall cease to execute the same; and in all cases in which any person shall be imprisoned as aforesaid for non-payment of any penalty or



other sum he may pay or cause to be paid to the keeper of the prison in which he shall be so imprisoned the sum in the warrant of commitment mentioned, together with the amount of the costs, charges, and expenses (if any) therein also mentioned, and the said keeper shall receive the same, and shall thereupon discharge such person, if he be in his custody for no other matter.

84. In every warrant of distress to be issued as afore-<sup>Payment to be</sup> said the constable or other person to whom the same shall be <sup>made to</sup> directed shall be thereby ordered to pay the amount of the <sup>Justice or</sup> Clerk. sum to be levied thereunder unto the justice or justices or clerk of the peace for the district or place in which the justice or justices issuing such warrant shall usually act; and if any person convicted of any penalty, or ordered by a justice or justices of the peace to pay any sum of money, shall pay the same to any constable or other person, such constable or other person shall forthwith pay the same to such justice or justices or clerk; and if any person committed to prison upon any conviction or order as aforesaid for non-payment of any penalty, or of any sum thereby ordered to be paid, shall desire to pay the same and costs before the expiration of the time for which he shall be so ordered to be imprisoned by the warrant for his commitment, he shall pay the same to the gaoler or keeper of the prison in which he shall be so imprisoned, and such gaoler or keeper shall forthwith pay the same to the said justice or justices or clerk; and all sums so received by the said justice or justices or clerk shall forthwith be paid by him or them to the party or parties to whom the same respectively are to be paid, according to the directions of the statute on which the information or complaint in that behalf shall have been framed; and if such statute shall contain no such directions for the payment thereof to any person or persons, then such justice or justices or clerk shall pay the same to the Minister of Justice; and every justice or every clerk, and every gaoler or keeper of a prison, shall keep a true and exact account of all such monies received by him, of whom and when received, and to whom and when paid, and shall once in every month render a fair copy of every such ac-

count unto the Minister of Justice under the penalty of ten dollars, to be recovered by distress in manner aforesaid.. (S.J.A., 1848—s32.)

### *Case Stated*

Case stated.

85. After the hearing and determination by a justice or justices of the peace of any information or complaint which he or they have power to determine in a summary way, by any law now in force or hereafter to be made, or upon any conviction, order, determination or other proceeding of a court of summary jurisdiction, either party to the proceeding before the said justice or justices may, if dissatisfied with the said determination, conviction, order or other proceeding as being erroneous in point of law, or in excess of jurisdiction, apply in writing within thirty days after the same to the said justice or justices, to state and sign a case setting forth the facts and the grounds of such determination, for the opinion thereon of one of the judges of the Supreme Court in St. John's or on Circuit; and such party, hereinafter called "the appellant," shall, within seven days after receiving such case, transmit the same to the Registrar of the Supreme Court or the Clerk on Circuit, first giving notice in writing of such appeal with a copy of the case so stated and signed, to the other party to the proceeding in which the determination was given, hereinafter called "the respondent." (20 & 21 Vict. C. 43, s2 and S.J.A., 1879—s33.)

Recognizance

86. The appellant, at the time of making such application, and before a case shall be stated and delivered to him by the justice or justices, shall in every instance enter into a recognizance, before such justice or justices, or any one or more of them, or any other justice exercising the same jurisdiction, with or without surety or sureties and in such sum as to the justice or justices shall seem meet, conditioned to prosecute without delay such appeal, and to submit to the judgment of the Supreme Court, and pay such costs as may be awarded by the same; and the appellant shall at the same time, and before he shall be entitled to

have the case delivered to him, pay to the justice or justices or to the clerk of the peace any fees which may be payable in respect of the same and the appellant, if then in custody, shall be liberated upon the recognizance being further conditioned for his appearance before the same justice or justice, or, if that is impracticable, before some other justice or justices, who shall be then sitting within fourteen days after the judgment of the Supreme Court shall have been given to abide such judgment, unless the determination, conviction order or other proceeding appealed against be reversed. (20 & 21 Vict. C. 43, s3.)

87. If the justice or justices be of opinion that the Justice may application is merely frivolous, but not otherwise, he or they <sup>refuse to</sup> state a case, and shall, on the request of their <sup>state a case</sup> frivolous appellant, sign and deliver to him a certificate of such <sup>cases.</sup> refusal; provided, that the justice or justices shall not refuse to state a case where application for that purpose is made to them by or under the direction of the Minister of Justice. (20 & 21 Vict. C. 43, s4.)

88. Where the justice or justices shall refuse to state <sup>Application to</sup> a case as aforesaid, it shall be lawful for the appellant to <sup>court on</sup> apply to the Supreme Court upon an affidavit of the facts <sup>refusal of</sup> Justice to state <sup>a case.</sup> for a rule calling upon such justice or justices, and also upon the respondent, to show cause why such case should not be stated; and the said court may make the same absolute or discharge it, with or without payment of costs, as to the court shall seem meet, and the justice or justices, upon being served with such rule absolute, shall state a case accordingly, upon the appellant entering into such recognizance as is hereinbefore provided. (21 & 21 Vict. C. 43. s5.)

89. The Supreme Court shall hear and determine the <sup>Powers of</sup> question or questions of law arising thereon, and shall there <sup>Supreme Court</sup> upon reverse, affirm, or amend the determination, <sup>on hearing of</sup> conviction, order or other proceeding in respect of which the <sup>stated case.</sup> case has been stated, or remit the matter to the justice or justices, with the opinion of the court thereon, or may

make such other order in relation to the matter, and may make such orders as to costs as to the court may deem fit; and all such orders shall be final and conclusive on all parties: Provided, always that no justice or justices of the peace who shall state and deliver a case in pursuance of this act shall be liable to any costs in respect or by reason of such appeal against his or their determination, conviction, order or other proceeding.

Supreme Court  
may send case  
back for  
amendment.

90. The Supreme Court shall have power, if they think fit, to cause the case to be sent back for amendment, and thereupon the same shall be amended accordingly, and judgment shall be delivered after it shall have been amended. (20 & 21 Vict. C. 43—s7.)

Judge in  
Chambers to  
have powers of  
Supreme Court

91. The authority and jurisdiction hereby vested in the Supreme Court shall and may (subject to any rules and orders of such court in relation thereto) be exercised by a judge of such court sitting in chambers. (20 & 21 Vict. C. 43.—s.8.);

Procedure after  
judgment on  
stated case.

92. After the decision of the Supreme Court in relation to any case stated for their opinion under this act, the justice or justices in relation to whose determination, conviction, order or other proceeding the case has been stated, or any other justice or justices of the peace exercising the same jurisdiction, shall have the same authority to enforce any conviction or order, which may have been affirmed, amended, or made by such Supreme Court, as the justice or justices who originally decided the case would have had to enforce his or their determination, conviction, order or other proceeding if the same had not been appealed against; and no action or proceeding whatsoever shall be commenced or had against the justice or justices, for enforcing such conviction or order by reason of any defect in the same respectively. (20 & 21 Vict. C. 43—s9.)

Certiorari not  
necessary.

93. No writ of certiorari or other writ shall be required for the removal of any conviction, order, determination or other proceeding in relation to which a case is

stated under this act, or otherwise, for obtaining the judgment or determination of the Supreme Court on such case under this Act. (20 & 21 Vict. C. 43.—s10.)

94. The Rule Committee constituted under Section 19 hereof may from time to time, and as often as it shall see occasion, make and alter rules and orders to regulate the practice and proceedings in reference to the cases hereinbefore in Sections 85 to 93 inclusive mentioned. (20 & 21 Vict. C. 43—s11.)

Rules to be made regarding proceedings under Sections 85 to 93.

95. In all cases where the conditions, or any of them, in the said recognizance mentioned in section 86 hereof, shall not have been complied with, the justice or justices who shall have taken the same, or any other justice or justices, shall certify upon the back of the recognizance in what respect the conditions thereof have not been observed, and transmit the same to the Minister of Justice, to be proceeded upon in like manner as other recognizances forfeited may now by law be enforced, and such certificate shall be deemed sufficient *prima facie* evidence of the said recognizance having been forfeited. (20 & 21 Vict. C. 43.—s13.)

Default in observing Recognizance.

### Taking of Evidence of Sick Persons, Etc.

96. Whenever it shall be made to appear to the satisfaction of any justice of the peace that any person dangerously ill, and in the opinion of some registered medical practitioner not likely to recover from such illness, is able and willing to give material information relating to any offence, or relating to any person accused of any such offence, and it shall not be practical for any justice or justices of the peace to take an examination or deposition in accordance with the provisions of this Act of the person so being ill, it shall be lawful for the said justice to take in writing the statement on oath or affirmation of such person so being ill, and such justice shall thereupon subscribe the same, and shall add thereto by way of caption a statement of his reason for taking the same, and of

Evidence of Sick Persons, &c.



the day and place when and where the same was taken, and of the names of the persons (if any) present at the taking thereof, and, if the same shall relate to any indictable offence for which any accused person is already committed or bailed to appear for trial, shall transmit the same with the said addition to the proper officer of the court for trial at which such accused person shall have been so committed or bailed; and in all other cases he shall transmit the same to the Minister of Justice, who is hereby required to preserve the same, and file it of record; and if afterwards, upon the trial of any offender or offence to which the same may relate, the person who made the same statement shall be proved to be dead, or if it shall be proved that there is no reasonable probability that such person will ever be able to travel or to give evidence, it shall be lawful to read such statement in evidence, either for or against the accused, without further proof thereof, if the same purports to be signed by the justice by or before whom it purports to be taken, and provided it be proved to the satisfaction of the court that reasonable notice of the intention to take such statement has been served upon the person (whether prosecutor or accused) against whom it is proposed to be read in evidence, and that such person, or his counsel or solicitor, had or might have had, if he had chosen to be present, full opportunity of cross-examining the deceased person who made the same. (C.L.A. Act, 1868—s6.)

Procedure for  
obtaining pres-  
ence of prison-  
ers.

97. Whenever a prisoner in actual custody shall have served or shall have received notice of an intention to make such statement as hereinbefore mentioned, the justice or justices of the peace by whom the prisoner was committed, or the Minister of Justice may, by an order in writing, direct the gaoler having the custody of the prisoner to convey him to the place mentioned in the said notice for the purpose of being present at the taking of the statement; and such gaoler shall convey the prisoner accordingly. (C.L.A. Act, 1867—s7.)

*Power to Reduce Penalty*

98. (1) Subject as in this act mentioned, and not-<sup>Power to</sup>withstanding any enactment to the contrary,<sup>reduce penalty.</sup> where a court of summary jurisdiction has authority under this act, or under any other act, whether past or future to impose imprisonment or to impose a fine for an offence punishable on summary conviction, that the court may, in the case of imprisonment, impose the same without hard labour, and reduce the prescribed period thereof, or do either of such acts; and in the case of a fine, if it be imposed as in respect of a first offence, may reduce the prescribed amount thereof.

And where in the case either of imprisonment or a fine there is prescribed a requirement for the offender to enter into a recognizance and to find sureties for keeping the peace, and observing some other condition, or to do any of such things, the court may dispense with any such requirement or any part thereof.

And where a court of summary jurisdiction has authority under an act of the legislature other than this act, whether past or future, to impose imprisonment for an offence punishable on summary conviction, and has not authority to impose a fine for that offence, that court when adjudicating on such offence may, notwithstanding, if the court think that the justice of the case will be better met by a fine than by imprisonment, impose a fine not exceeding one hundred dollars, and not being of such an amount as will subject the offender under the provisions of this act, in default of payment of the fine, to any greater term of imprisonment than that to which he is liable under the act authorizing the said imprisonment. (S.J.A., 1879—s4.)

- (2) Nothing in this act shall authorize a court of summary jurisdiction to reduce the amount of a fine where the act prescribing such amount carries into effect a treaty convention or agreement with a foreign state, and such treaty convention or agreement stipulates for a fine of a minimum amount.
- (3) Nothing in this section shall apply to any offence under section 4 of the Act 20, Geo. V. Cap. 7.

*Allowing Time, Etc. For Payment*

Allowance of  
time for pay-  
ment.

99. A court of summary jurisdiction by whose conviction or order any sum is adjudged to be paid, may do all or any of the following things namely—

- (1) Allow time for the payment of the said sum, and
- (2) Direct payment to be made of the said sum by instalments; and
- (3) Direct that the person liable to pay the said sum shall be at liberty to give to the satisfaction of that court, or of such other court of summary jurisdiction, or such person as may be specified by that court, security with or without a surety or sureties for the payment of the said sum or of any instalment thereof, and such security may be given and enforced in manner provided by this act.

When a sum is directed to be paid by instalments and default is made in the payment of any one instalment, the same proceedings may be taken as if defaults had been made in payment of all the instalments then remaining unpaid.

A court of summary jurisdiction directing the payment of a sum or of an instalment of a sum may direct such payment to be made at such time or times, and in such place or places and to such person or persons, as may be specified by the court; and every person to whom any such sum or instalments is paid, where not the clerk of the court of summary jurisdiction, shall as soon as may be account for and pay over the same to that clerk or a justice or justices. (S.J.A., 1879—s7.)

100. Where a fine adjudged by a conviction by a court of summary jurisdiction to be paid does not exceed one dollar, then, except so far as the court may think fit to expressly order otherwise, an order shall not be made for payment by the defendant to the informant of any costs; and the court shall, except so far as they think fit to expressly order otherwise, direct all fees payable or paid by the informant to be remitted or repaid to him; the court may also order the fine or any part thereof to be paid to the informant in or towards the payment of his costs. (S.J.A., 1879—s8.)

### *Forfeiture of Recognizances*

101. (1) Where a recognizance is conditioned for the appearance of a person before a court of summary jurisdiction, or for his doing some other matter or thing to be done in, to, or before a court of summary jurisdiction, or in a proceeding in a court of summary jurisdiction, such court, if the said recognizance appears to the court to be forfeited, may declare the recognizance to be forfeited, and enforce payment of the sum due under such recognizance in the same manner as if the sum were a fine adjudged by such court to be paid which the statute provides no means of enforcing, and were ascertained by a conviction:

Provided that at any time before the sale of goods under a warrant of distress for the said sum, the said court of summary jurisdiction, or any other court of summary jurisdiction may cancel or mitigate the forfeiture, upon the person liable applying, and giving security to the satisfaction of the court for the future performance of the condition of the recognizance, and paying or giving security for payment of the costs incurred in respect of the forfeiture, or upon such other conditions as the court may think fit.

- (2) Where a recognizance conditioned to keep the peace or to be of good behaviour, or not to do or commit some act or thing, has been entered into by any person as principal or surety before a court of summary jurisdiction, that court or any other court of summary jurisdiction, upon proof of the conviction of the person bound as principal by such recognizance of any offence which is in the law a breach of the condition of the same, or in the case of a recognizance condition to be of good behaviour, upon proof that the person bound as principal has since the date of the recognizance been guilty of conduct which is a breach of the condition may by conviction adjudge such recognizance to be forfeited, and adjudge the persons bound thereby, whether as principal or sureties, or any of such persons, to pay the sums for which they are respectively bound.
- (3) Except where a person seeking to put into force a recognizance to keep the peace or to be of good behaviour, by notice in writing requires such recognizance to be transmitted to the Supreme Court, the recognizances to which this section applies shall be dealt with in manner in this section mentioned, and, not-



withstanding any enactment to the contrary, shall not be transmitted, nor shall the forfeiture thereof be certified to the Supreme Court.

- (4) All sums in respect of a recognizance declared or adjudged by a court of summary jurisdiction in pursuance of this section to be forfeited shall be paid to the justice or clerk of such court, and shall be paid by him to the Minister of Justice for the use of the Colony. (S.J.A., 1879—s9.)
- (5) Where a surety to a recognizance to keep the peace or to be of good behaviour has reason to suspect that the person bound as principal has been or is about to be guilty of conduct which was or would be a breach of the conditions of the recognizance, he may lay an information before any justice of the peace and that justice may thereupon, if in his discretion he thinks fit, issue a warrant or summons against the said person.

The court before which the said person is brought under any such warrant or before which he appears in answer to any such summons may, as it thinks fit, either order him to enter into a fresh recognizance, with or without sureties, or deal with him in the same manner as if he were a person who had failed to comply with an order to enter into a recognizance and find sureties to keep the peace or to be of good behaviour, and shall in either case order that the first mentioned recognizances shall be discharged. (C.J.A., 1925, Cap. 86, Sec. 26).

#### *Summary Trial of Children—Whipping*

of children:

102. (1) Where a child is charged before a court of summary jurisdiction with any indictable of-

fence other than homicide, the court if they think it expedient so to do, and if the parent or guardian of the child so charged, when informed by the court of the right to have the child tried by a jury, does not object to the child being dealt with summarily, may with the consent of the Minister of Justice, deal summarily with the offence, and inflict the same description of punishment as might have been inflicted had the case been tried on indictment.

Provided that—

- (a) A sentence of imprisonment with hard labour shall not be passed, but imprisonment shall be substituted therefor; and
  - (b) Where imprisonment is awarded, the term shall not in any case exceed one month; and
  - (c) Where a fine is awarded, the amount shall not in any case exceed ten dollars; and
  - (d) When the child is a male the court may, either in addition to or instead of any other punishment, adjudge the child to be, as soon as practicable, privately whipped with not more than six strokes of a birch rod by a constable, in the presence of a justice or of an inspector or other officer of police of higher rank than a constable, and also in the presence, if he desires to be present, of the parent or guardian of the child.
- (2) For the purpose of a proceeding under this section, the court of summary jurisdiction, at any time during the hearing of the case at which they become satisfied by the evidence that it is expedient to deal with the case sum-

marily, shall cause the charge to be reduced into writing and read to the parent or guardian of the child, and then address a question to such parent or guardian to the following effect: "Do you desire the child to be tried by a jury, and object to the case being dealt with summarily?" with a statement, if the court think such statement desirable for the information of such parent or guardian, of the meaning of the case being dealt with summarily, and at what time the child will be tried if tried by jury.

- (3) Where the parent or guardian of a child is not present when the child is charged with an indictable offence before a court of summary jurisdiction, the court may, if they think it just so to do, remand the child for the purpose of causing notice to be served on such parent or guardian, with a view so far as is practicable of securing his attendance at the hearing of the charge, or the court may, if they think it expedient so to do, deal with the case summarily.
- (4) This section shall not render punishable for an offence any child who is not, in the opinion of the court before whom he is charged, above the age of seven years and of sufficient capacity to commit crime. (S.J.A., 1879—s10.)

### *Summary Trial of Young Persons—Whipping.*

103. (1) Where a young person is charged before a court of summary jurisdiction with an indictable offence, (other than homicide), the court, if they think it expedient so to do, having regard to the character and antecedents of the person charged, the nature of the offence, and all the circumstances of the case, and if the

Summary trial  
of young per-  
sons: Whip-  
ping.

young person charged with the offence, when informed by the court of his right to be tried by a jury, consents to be dealt with summarily, and if the Minister of Justice consents to the Court's dealing with the case summarily, may deal summarily with the offence, and in their discretion adjudge such person, if found guilty of the offence, either to pay a fine not exceeding fifty dollars, or to be imprisoned, with or without hard labour, for any term not exceeding three months; and if the young person is a male, and, in the opinion of the court, under the age of sixteen years, the Court, if they think it expedient so to do, may, either in substitution for or in addition to any other punishment under this act, adjudge such young person to be, as soon as practicable, privately whipped with not more than twelve strokes of a birch rod by a constable, in the presence of a justice or of an inspector or other officer of police of higher rank than a constable, and also in the presence, if he desires to be present, of the parent or guardian of such young person.

- (2) For the purpose of a proceeding under this section, the court, at any time during the hearing of the case at which they become satisfied by the evidence that it is expedient to deal with the case summarily, shall cause the charge to be reduced into writing and read to the young person charged, and then address a question to him to the following effect: "Do you desire to be tried by a jury, or do you consent to the case being dealt with summarily?" with a statement if the court think such statement desirable for the information of the young person to whom the question is addressed, of the meaning of the case

being dealt with summarily, and when and where he will be tried if tried by jury.

*Summary Trial of Adults for Indictable Offences.*

104. (1) Where a person who is an adult is charged before a court of summary jurisdiction with an indictable offence, being one of the offences specified in Part IV. of the Third Schedule to this Act, the court, if it thinks it expedient to do so, having regard to any representation made in presence of the accused by or on behalf of the prosecutor, the character and antecedent of the accused, the nature of the offence, the absence of circumstances which would render the offence one of a grave or serious character and all other circumstances of the case (including the adequacy of the punishment which a court of summary jurisdiction has power to inflict), and if the accused, when informed by the court of his right to be tried by a jury, consents to be dealt with summarily, and if the Minister of Justice consents to his trial summarily, may, subject to the provisions of this section, deal summarily with the offence, and, if the accused pleads guilty to, or is found guilty of, the offence charged, may sentence him to be imprisoned for any term not exceeding twelve months or to a fine not exceeding four hundred dollars or to both such imprisonment and fine:

Provided that where a person pleads guilty to, or is found guilty of, any offence of inciting to commit a summary offence, he shall not be liable to any greater penalty than that to which he would have been liable if he had been found guilty of committing that summary offence.



- (2) If a court of summary jurisdiction at any time during the hearing of a charge for such an indictable offence as aforesaid against a person who is an adult becomes satisfied that it is expedient to deal with the case summarily, the court shall thereupon for the purpose of proceedings under this section, cause the charge to be reduced into writing and read to the accused and shall then address to him a question to the following effect: "Do you desire to be tried by a jury, or do you consent to the case being dealt with summarily?" with a statement, if the court thinks such statement desirable for the information of the accused, of the meaning of the case being dealt with summarily, and if the accused consents to be dealt with summarily, shall forthwith ask him the following question, "Do you plead guilty or not guilty?"
- (3) Any enactments in force at the commencement of this Act which relate to the summary trial of indictable offences or which refer to indictable offences which are triable summarily, shall, subject to the provisions of this section, be construed, as the case may be, as applying to the summary trial of indictable offences under this section or as referring to all indictable offences which are triable summarily thereunder.
- (4) In this section the expression "adult" means a person who is, in the opinion of the court before which he is charged, of the age of sixteen years or upwards. (C.J.A., 1925, Cap. 86, Sec. 24.)

Adults charged  
under Part V.

105. (1) Where a person who is an adult is charged before a court of summary jurisdiction with an indictable offence which is specified in Part

V. of the third schedule of this act, and the court at any time during the hearing of the case become satisfied that the evidence is sufficient to put the person charged on his trial for the said offence, and further are satisfied (either after such a remand as is provided by this act or otherwise) that the case is one which, having regard to the character and antecedents of the person charged, the nature of the offence, and all the circumstances of the case may properly be dealt with summarily, and may be adequately punished by virtue of the powers of this act, then the court shall cause the charge to be reduced into writing and read to the person charged, and shall then ask him whether he is guilty or not of the charge; and if such person says that he is guilty, the court shall thereupon cause a plea of guilty to be entered, and adjudge him to be imprisoned, with or without hard labour, for any term not exceeding twelve months, provided the consent of the Minister of Justice to summary sentence be first obtained.

- (2) The court, before asking, in pursuance of this section, the person charged whether he is guilty or not, shall explain to him that he is not obliged to plead or answer, and that if he pleads guilty, he will be dealt with summarily, and that if he does not plead or answer, or pleads not guilty, he will be dealt with in the usual course; with a statement, if the court thinks such statement desirable for the information of the person to whom the question is addressed, of the meaning of the case being dealt with summarily or in the usual course, and when and where he is likely to be tried if tried by a jury. The Court shall further state to such person to the effect that he is not obliged to say anything unless he desires to do so, but that whatever

he says will be taken down in writing, and may be given in evidence against him upon his trial, and shall give him clearly to understand that he has nothing to hope from any promise of favour, and nothing to fear from any threat which may have been held out to him to induce him to make any admission or confession of his guilt, but that whatever he then says may be given in evidence against him upon his trial, notwithstanding such promise or threat.

- (3) If the prisoner does not plead guilty, whatever he says in answer shall be taken down in writing and read over to him, and signed by a justice constituting or forming part of the court, and kept with the depositions of the witnesses, and transmitted with them in manner required by law, and afterwards upon the trial of the prisoner may, if necessary, be given in evidence against him without further proof thereof, unless it is proved that the justice purporting to have signed the same did not in fact sign the same. (S.J.A., 1879—s13.)

Child: Limita-  
tion of impris-  
onment

106. A child on summary conviction for an offence punishable on summary conviction under this act, or under any other act, whether past or future, shall not be imprisoned for a longer period than one month nor fined a larger sum than ten dollars. (S.J.A., 1879—s15.)

Procedure in  
cases of indict-  
able offences  
triable sum-  
marily.

107. Where an indictable offence is under the circumstances in this act mentioned authorized to be dealt with summarily,—

- (1) The procedure shall, until the court assume the power to deal with such offence summarily, be the same in all respects as if the offence were to be dealt with throughout as an indictable offence, but when and so soon as the court assumes the power to deal with such offence

summarily, the procedure shall be the same from and after that period as if the offence were an offence punishable on summary conviction and not on indictment, and the provisions of this Act relating to offences punishable on summary conviction shall apply accordingly; and

- (2) The evidence of any witness taken before the court assumed the said power need not be taken again, but every such witness shall, if the defendant so require it, be recalled for the purpose of cross-examination; and
- (3) The conviction for any such offence shall be of the same effect as a conviction for the offence on indictment, and the court may make the like order for the restitution of property as might have been made by the court before whom the person convicted would have been tried if he had been tried on indictment; and
- (4) Where the court have assumed the power to deal with the case summarily, and dismiss the information, **they shall**, if required, deliver to the person charged a copy certified under their hands of the order of such dismissal, and such dismissal shall be of the same effect as an acquittal on a trial of indictment for the offence; and
- (5) The conviction shall contain a statement either as to the plea of guilty of an adult, or in the case of a child as to the consent or otherwise of his parent or guardian, and in the case of any other person of the consent of such person, to be tried by a court of summary jurisdiction. (S.J.A., 1879—s27.)

*Open Court, Etc.*

Trials to be in  
open court, &c.

108. (1) A case arising under this act, or under any other act, whether past or future, shall not be heard, tried determined or adjudged by a court of summary jurisdiction, except when sitting in open court.
- (2) Open court means any court-house or any other place, being open to and known to the public, where the court of summary jurisdiction shall sit.
- (3) The stipendiary magistrate shall cause public notice to be given in such manner as they think expedient of every place for the time being appointed to be used as an occasional court-house.
- (4) A justice of the peace when sitting alone shall not have power to impose any greater term of imprisonment or adjudge any larger sum to be paid than fourteen days imprisonment or a fine of ten dollars.
- (5) An indictable offence dealt with summarily in pursuance of this act shall not be heard, tried, determined or adjudged except by court of summary jurisdiction consisting of a Stipendiary Magistrate or two or more justices of the peace sitting on some day appointed for hearing indictable offences, of which public notice has been given in such manner as to the magistrate or justice seems expedient, or at some adjournment of such court.
- (6) Any case arising under any future act which is triable by a court of summary jurisdiction, shall unless it is otherwise prescribed, be



heard, tried, determined and adjudged by a court of summary jurisdiction consisting of a Stipendiary Magistrate or two or more justices.

- (7) Any Stipendiary Magistrate shall, for the purpose of this act, be deemed to be a court of summary jurisdiction consisting of two or more justices.
- (8) A court of summary jurisdiction may, without prejudice to any other power of adjournment which the court possesses, adjourn the hearing of any case to the next practicable sitting of a court of summary jurisdiction in the same manner in all respects as a justice is authorized to adjourn the hearing of a case under section 68 of this Act. (S.J.A., 1848—s20.)

### *Remand*

109. (1) Where a person charged before a court of summary jurisdiction with an indictable offence, with which a court of summary jurisdiction has or may have under the circumstances in this act mentioned power to deal summarily, the court before whom such person is charged, without prejudice to any other power that may possess,—
- (a) may, for the purpose of ascertaining whether it is expedient to deal with the case summarily, either before or during the hearing of the case, from time to time adjourn the case and remand the person accused; and
  - (b) if such court does not at the time of the charge consist of two justices or a Stipendiary Magistrate, and the court think the case proper to be dealt with summarily, may

adjourn the case and remand the person accused until the next practical sitting of two justices or a stipendiary magistrate.

- (2) A person may be remanded under this section in like manner in all respects as a person accused of an indictable offence may be remanded under section 41 of this Act with this addition, that where he is remanded to the next practicable sitting of two justices or a Stipendiary Magistrate he may be remanded for more than eight days. (S.J.A., 1879—s24.)

Remand: Recognizance.

110. Where a person is remanded on bail the recognizance may be conditioned for his appearance at every time and place to which during the course of the proceedings the hearing may be from time to time adjourned, without prejudice, however, to the power of the court to vary the order at any subsequent hearing. (C.J.A.A., 1914—s19.)

Further remand in case of sickness.

111. (1) A court of summary jurisdiction on being satisfied that a person accused of any offence who has been remanded is by reason of illness or accident unable at the expiration of the period for which he was remanded to appear personally before the court, may in the absence of the accused person, order him to be further remanded for such time as may be deemed reasonable. (C.J.A.A., 1914—s20.)

### *Bond to Keep the Peace.*

Sureties for good behaviour, &c.

112. The power of a court of summary jurisdiction, upon complaint of any person, to adjudge a person to enter into a recognizance and find sureties to keep the peace or to be of good behaviour towards such first-mentioned person, shall be exercised by an order upon complaint, and this act shall apply accordingly, and the

complainant and defendant and witnesses may be called and examined and cross-examined, and the complainant and defendant shall be subject to costs, as in the case of any other complaint.

The court may order the defendant, in default of compliance with the order, to be imprisoned for a period not exceeding, if the court consists of a stipendiary or two or more justices, six months, and if the court consists of one justice only, fourteen days. (S.J.A., 1879—s25.)

### *Miscellaneous Provisions as to Procedure*

113. The following enactments shall apply to pro-<sup>Procedure:</sup>ceedings before courts of summary jurisdiction; (that<sup>Summary</sup> jurisdiction.<sup>jurisdiction.</sup> is to say)

1. The description of any offence in the words of<sup>Description of</sup> the act, or any order, byelaw, regulation, or<sup>offence.</sup> other document creating the offence, or in similar words, shall be sufficient in law; and
2. Any exception, exemption, proviso, excuse, or<sup>Description of</sup> qualification, whether it does or does not ac-<sup>offence.</sup>company in the same section the description of the offence in the act, order, byelaw, regulation or other document creating the offence, may be proved by the defendant, but need not be specified or negatived in the information or complaint, and, if so specified or negatived, no proof in relation to the matter so specified or negatived shall be required on the part of the informant or complainant; and
3. A warrant of commitment shall not be held<sup>Warrants not</sup> void by reason of any defect therein, if it be<sup>void for</sup> therein alleged that the offender has been<sup>defects.</sup> convicted or ordered to do or abstain from doing any act or thing required to be done or

left undone, and there is a good and valid conviction or order to sustain the same; and

Warrant of  
Distress not  
void for  
defects.

4. A warrant of distress shall not be deemed void by reason only of any defect therein, if it be therein alleged that a conviction or order has been made, and there is a good and valid conviction or order to sustain the same, and a person acting under a warrant of distress shall not be deemed a trespasser from the beginning by reason only of any defect in the warrant, or of any irregularity in the execution of the warrant, but this enactment shall not prejudice the right of any person to satisfaction for any special damage caused by any defect in or irregularity in the execution of the warrant of distress, so however that if amends are tendered before action brought, and if the action is brought, are paid into court in the action, and the plaintiff does not recover more than the sum so tendered and paid into court, the plaintiff shall not be entitled to any costs incurred after such tender, and the defendant shall be entitled to costs, to be taxed as between solicitor and client under this act; and

Respecting sale  
of forfeitures.

5. All forfeitures not pecuniary which are incurred in respect of an offence triable by a court of summary jurisdiction, or which may be enforced by a court of summary jurisdiction may be sold or disposed of in such manner as the court having cognizance of the case or any other court of summary jurisdiction may direct, and the proceeds of such sale shall be applied in the like manner as if the proceeds were a fine imposed under the act on which the proceedings for the forfeiture is founded. (S.J.A., 1879—s39.)

*Proof of Service of Summons and Other Documents.  
Form Of.*

114. In a proceeding within the jurisdiction of a <sup>Proof of Ser-</sup> court of summary jurisdiction, without prejudice to any <sup>vice of</sup> other mode of proof, service on a person of any <sup>Summons, &c.</sup> summons, notice, process, or document required or authorized to be served, and the hand-writing and seal of any justice of the peace or other officer or person on any warrant, summons, notice, process, or document, may be proved by a solemn declaration taken before a justice of the peace, or before a commissioner to administer oaths in the Supreme Court, or before a clerk of the peace; and any declaration purporting to be so taken shall, until the contrary is shown, be sufficient proof of the statements contained therein, and shall be received in evidence in any court of legal proceeding, without proof of the signature of the official character of the person or persons taking or signing the same; and the fee, if any, for taking such declaration shall be such sum, not exceeding twenty-five cents, as may be directed by rules made in pursuance of this act, and any such fee shall be costs in the matter or proceeding to which it relates.

The declaration may be in the form provided by a rule under this act, and if any declaration made under this section is untrue in any material particular, the person wilfully making such false declaration shall be guilty of wilful and corrupt perjury. (S.J.A., 1879—s41.)

*Venue.*

115. (1) The justices before whom any person is <sup>Venue.</sup> charged with an indictable offence, may, with the consent of the Minister of Justice, instead of committing him to be tried at St. John's, or at the next or nearest sittings of the Supreme Court on Circuit, commit him to be



tried in the Supreme Court on Circuit at some other place if it appears to them, having regard to the time when and the place where the next sittings of the Supreme Court on Circuit are to be held, to be more convenient to commit the accused person to those sittings with a view to expediting his trial or saving expense:

Provided that the power given by this subsection shall not be exercised—

- (a) Unless the examining justices are satisfied at the date of the committal that the next or nearest sittings to which but for this section he might have been committed will not be held within one month from that date; or
  - (b) In any case in which the accused satisfies the examining justices that he would, if the power were exercised, suffer hardship.
- (2) Where for any reason whatsoever the trial of a person who has been committed to be tried for an indictable offence before the Supreme Court on Circuit at any place is either not proceeded with or not brought to a final conclusion before that court, at that place, it shall be lawful for that court, if in its discretion it thinks it convenient so to do with a view to expediting the trial or re-trial or the saving of expense or otherwise and is satisfied that the accused will not thereby suffer hardship, to direct that the trial or re-trial of the accused shall take place before the Supreme Court on Circuit at some other place or the Supreme Court at St. John's. (C.J.A., 1925, Cap. 86, Sec. 14.)

116. A person may be charged with an offence and <sup>Hearing may</sup> the investigation commenced in one place or district and <sup>be continued</sup> the investigation continued, and the person be required <sup>in different</sup> places. to attend, and the commitment (if any) made in another place or district, and by a Magistrate or Justices other than those before whom the charge may have been made; and it shall not be necessary in such case to have witnesses already examined present and re-sworn, and their depositions read over in the presence of the other Magistrate or Justice and the accused and the witnesses; provided that such depositions were properly taken and read over in the presence of the accused and the witnesses before the Magistrate or Justices before whom the same were originally taken.

117. For such purposes Magistrates and Justices <sup>Powers of</sup> shall exercise all necessary powers of removal and ex- <sup>removal of</sup> mination of witnesses. <sup>witnesses.</sup>

### *Remitting Case for Trial Summarily.*

118. In any case in which under this Chapter a <sup>Remitting case</sup> Magistrate or two or more Justices may proceed sum- <sup>for trial before</sup> marily, but in which the party charged shall be com- <sup>Stipendiary</sup> mitted for trial before the Supreme Court, the Minister <sup>Magistrate</sup> of Justice in St. John's, or the Crown prosecutor on <sup>even after</sup> Circuit, may remit the case for summary trial to a Sti- <sup>committal.</sup> pendary Magistrate or two or more Justices aforesaid, who shall proceed as if the case had been originally dealt with in a summary way.

### *Proceedings Against Corporation*

119. (1) Where a corporation is charged, whether <sup>Charges</sup> alone or jointly with some other person, with <sup>against</sup> an indictable offence, the examining justices <sup>Corporations.</sup> may, if they are of opinion that the evidence offered on the part of the prosecution is sufficient to put the accused corporation upon trial, make an order empowering the prosecu-

tor to present to the grand jury at St. John's or on Circuit, as the case may be, a bill in respect of the offence named in the order, and for the purpose of any enactments referring to committal for trial (including this Act) any such order shall be deemed to be a committal for trial:

Provided that—

Proviso

- (a) Where the offence is an offence which in the case of an adult may be dealt with summarily and the corporation does not appear before the examining justices by a representative or, if it does so appear, consents that the offence should be so dealt with, the justices may deal with the offence summarily; and
  - (b) If the corporation appears before the examining justices by a representative, any answers to the questions to be put under section 37 of this Act may be made on behalf of the corporation by that representative, but if the corporation does not so appear it shall not be necessary to put the questions, and the examining justices may, notwithstanding, make an order under this sub-section.
- (2) Where any person is charged jointly with a corporation with any offence and either that person or the corporation by its representative does not consent that the offence (being an indictable offence) should be dealt with summarily, or either that person or the corporation claims (if the offence is a summary offence) to be tried by a jury, the examining justices or the court of summary jurisdiction, as the case may be, shall not have power to

deal summarily with the offence in the case of the other offender.

- (3) Provision may be made by rules made by the Rule Committee appointed under Section 277 of Chapter 83 of the Consolidated Statutes (3rd Series), 1916, with respect to the service on any corporation charged with an indictable offence of any documents requiring to be served in connection with the proceedings.
- (4) Where a corporation is charged with an offence in the case of which an individual is entitled under section 104 of this Act, to claim to be tried by a jury, a claim to be so tried may be made on behalf of the corporation by its representative, and the said section 104 shall apply accordingly, and where the corporation does not appear by a representative or no such claim is made on behalf of the corporation the court may, subject to the provisions of this section, deal with the case summarily as if the offence were an offence to which the said section did not apply.
- (5) In this section the expression "representative" in relation to a corporation means a person duly appointed by the corporation to represent it for the purpose of doing any act or thing which the representative of a corporation is by this section authorized to do, but a person so appointed shall not, by virtue only of being so appointed, be qualified to act on behalf of the corporation before any court for any other purpose.

A representative for the purposes of this section need not be appointed under the seal of the corporation, and a statement in writing purporting to be signed by a managing director of

the corporation, or by any person (by whatever name called) having, or being one of the persons having, the management of the affairs of the corporation, to the effect that the person named in the statement has been appointed as the representative of the corporation for the purpose of this section shall be admissible without further proof as *prima facie* evidence that that person has been so appointed. (C. J. A., 1925, Cap. 86, Sec. 33).

*Appeals.*

Appeal.

120. (1) Any person aggrieved by any conviction of a court of summary jurisdiction in respect of any offence, who did not plead guilty or admit the truth of the information, may appeal from the conviction in manner provided by this act to the Supreme Court.

(2) An appeal shall lie to the Supreme Court in manner provided by this Act, from any order made by a court of summary jurisdiction under the enactments relating to bastardy, or from any refusal by a court of summary jurisdiction to make such an order, or from the revocation, revival, or variation by a court of summary jurisdiction of such an order. (C.J.A.A., 1914—s37.)

Appeal.

121. Where, in pursuance of any act, whether past or future, any person is adjudged by a conviction or order of a court of summary jurisdiction to be imprisoned without the option of a fine, either as punishment for an offence, or, save as hereinafter mentioned for failing to do or abstain from doing any act or thing required to be done or left undone, and such person is not otherwise authorised to appeal to the Supreme Court, and did not plead guilty or admit the truth of the information or complaint, he may, notwithstanding anything in the said Act, appeal to the Supreme Court against such conviction or order:



Provided that this section shall not apply where the imprisonment is adjudged for failure to comply with an order for the payment of money, for the finding of sureties, for the entering into any recognizance, or for giving of any security. (S.J.A., 1879—s19.)

122. A person who after pleading guilty or admitting <sup>Appeal.</sup> the truth of the information is convicted of any offence by a court of summary jurisdiction shall have a right to appeal in manner provided by this Act to the Supreme Court against the sentence. (C.J.A., 1925, Cap. 86, Sec. 25.)

123.—Every person desiring to appeal as aforesaid <sup>Notice of Appeal.</sup> shall give notice within fourteen days of his conviction or sentence to the convicting Magistrate or Justices, and shall enter into securities to the satisfaction of a Magistrate or Justices to prosecute such an appeal without delay, and to abide by the judgment therein, and if he be not imprisoned, to surrender himself to the Supreme Court at its next sitting in St. John's or at the place on Circuit where the appeal may be appointed to be heard.

### *Bail*

124. (1) A justice on issuing a warrant for the arrest <sup>Bail.</sup> of any person may, if he thinks fit, by endorsement on the warrant, direct that the person named in the warrant be on arrest released on his entering into such a recognizance, with or without sureties, for his appearance as may be specified in the endorsement, and the endorsement shall fix the amounts in which the principal and sureties (if any) are to be bound.

(2) Where such an endorsement is made, the officer in charge of any police station to which on arrest the person named in the warrant is brought shall discharge him upon his entering into a recognizance with or without sureties approved by that officer, in accordance with the endorsement, conditioned for his appearance before the court

and at the time and place named in the recognizance. (C.J.A.A., 1914—s21.)

Right to Bail.

125. Where a court of summary jurisdiction commits a person charged with a misdemeanour for trial and does not admit him to bail the court shall inform the person accused of his right to apply for bail to a judge of the Supreme Court. (C.J.A.A. 1914—s23.)

Recognizance  
in certain  
cases.

126. On a person being taken into custody for an offence without a warrant, the Inspector General, a superintendent or inspector of police, or in places outside of St. John's any of the aforesaid officers or the officer for the time being in charge of the station may in any case, and shall, if it will not be practicable to bring such person before a court of summary jurisdiction within twenty-four hours after he was so taken into custody, inquire into the case, and, unless the offence appears to such Inspector General, superintendent, inspector, or officer to be of a serious nature, discharge the person upon his entering into a recognizance with or without sureties for a reasonable amount to appear before some court of summary jurisdiction at the time and place named in the recognizance, but where such person is retained in custody he shall be brought before a court of summary jurisdiction as soon as practicable. (C.J.A.A., 1914—s22.)

Recognizance:  
Enforcement.

127. If, on a person being so taken into custody as aforesaid, it appears to the Inspector General, superintendent, inspector or other officer aforesaid that the enquiry into the case cannot be completed forthwith, he may discharge the said person on his entering into a recognizance, with or without sureties for a reasonable amount, to appear at such police station and at such time as is named in the recognizance, unless he previously receives notice in writing from the officer of police in charge of that station that his attendance is not required, and any such recognizance may be enforced as of it were a recognizance conditioned for the appearance of the said person before the court of summary jurisdiction for the place in which the

police station named in the recognizance is situate. (S.J.A., 1925, Cap. 86, s45.)

*Security, How To Be Given*

128. (1) A person shall give security under this act, <sup>Security to be</sup> whether as principal or surety, either by the deposit of money with the stipendiary magistrate, justices, or the clerk of the court. or with the officer mentioned in the two last preceding sections, or by an oral or written acknowledgment of the undertaking or condition by which and of the sum for which he is bound, in such manner and form as may be for the time being directed by any rule made in pursuance of this act, and evidence of such security may be provided by entry thereof in the register under this act of proceedings of a court of summary jurisdiction or otherwise as may be directed by such rule.
- (2) Any sum which may become due in pursuance of a security under this act from a surety shall be recoverable summarily, in manner directed by this act with respect to a civil debt, on complaint by a constable or by some other person authorized for the purpose by the Minister of Justice.
- (3) A court of summary jurisdiction may enforce payment of any sum due by a principal in pursuance of a security under this act which appears to such court to be forfeited, in like manner as if that sum were adjudged by a court of summary jurisdiction to be paid as a fine which the statute provides no mode of enforcing, if the security was given for a sum adjudged by a conviction, and in any other case in like manner as if were a sum adjudged by a court of summary jurisdiction to be paid as a civil debt; provided that before a warrant of distress for the sum is

issued, such notice of the forfeiture shall be served on the said principal, and in such manner as may be directed for the time being by rules under this act, and subject thereto by the court authorizing the security, or by any court to whom application is made for the issue of the warrant.

- (4) Any sum paid by a surety on behalf of his principal in respect of a security under this act, together with all costs, charges and expenses incurred by such surety in respect of that security, shall be deemed a civil debt due to him from the principal, and may be recovered before a court of summary jurisdiction in manner directed by this act with respect to the recovery of a civil debt which is recoverable summarily.
- (5) Where security is given under this act for payment of a sum of money, the payment of such sum shall be enforced by means of such security in substitution for other means of enforcing such payment. (S.J.A., 1879—s23.)
- (6) In all cases where security is given under this act, every surety shall justify on oath as to his financial ability to meet the obligation undertaken by him.

Recognizance:  
Entering into  
same.

129. When a court of summary jurisdiction has fixed, as respects any recognizance, the amount in which the principal and the sureties (if any) are to be bound, the recognizance, notwithstanding anything in this or any other act, need not be entered into before such court, but may, subject to any rules made in pursuance of this act, be entered into by the parties before any other court of summary jurisdiction or before any clerk of a court of summary jurisdiction, or before a superintendent or inspector of police or other officer of police of equal or superior rank or in charge of any police station, or where any of the

parties is in prison, before the governor or other keeper of such prison; and thereupon all the consequences of law shall ensue, and the provisions of his act with respect to recognizances taken before a court of summary jurisdiction shall apply, as if the recognizance had been entered into before the said court as heretofore by law required. (S.J.A., 1879—s42.)

130. Where as a condition of the release of any person he is required to enter into a recognizance with sureties, the recognizances of the sureties may be taken separately and either before or after the recognizance of the principal, and if so taken the recognizances of the principal and sureties shall be as binding as if they had been taken together and at the same time. (C.J.A.A., 1914—s24.)

### *Records*

131. (1) Every Stipendiary Magistrate shall keep a register of the minutes or memorandum of all the convictions and orders of his court, and of such other proceedings as are directed by a rule under this act to be registered, and shall keep the same with such particulars and in such form as may be from time to time directed by a rule under this act, and wherever two justices shall sit together as a court of summary jurisdiction they shall, or one of them shall, keep such a register.
- (2) Such register, and also any extract from such register certified by the Stipendiary Magistrate or one of the two justices to be a true extract, shall be *prima facie* evidence of the matters entered therein for the purpose of informing any other court of summary jurisdiction.
- (4) The entries relating to each minute memorandum or proceeding shall be either entered or signed by the justice or one of the justices con-



stituting the court by or before whom the conviction or order or proceeding referred to in the minute or memorandum was made or had.

- (5) Every sum paid to the Stipendiary Magistrate, justice or clerk of a court of summary jurisdiction in accordance with this act and the appropriation of such sum, shall be entered and authenticated in such manner as may be from time to time directed by a rule under this act.
- (6) Every such register shall be open for inspection, without fee or reward, by any justice of the peace, or by any person authorized in that behalf by a justice of the peace or by the Minister of Justice. (S.J.A., 1879—s22.)

*Evidence in Certain Cases.*

Proof of conviction, &c.

132. (1) The record or extract by which a conviction may be proved under section eighteen of the Imperial Prevention of Crimes Act, 1871, may in the case of a summary conviction consist of a copy of the minute or memorandum of the conviction entered in the register required to be kept under section 131 of this act, purporting to be signed by the convicting magistrate or his successor in office having custody of his records, or by any other proper officer having custody of such records.
- (2) The provisions of section twelve of the Children Act, 1922, (which enables the evidence of a child of tender years to be received though not given on oath), shall apply to proceedings against persons for offences not mentioned in that section, in like manner as they apply in respect of proceedings against persons for offences mentioned in that section.

(3) In any proceedings before a court of summary jurisdiction to enforce the payment of a sum of money adjudged by that or any other court of summary jurisdiction to be paid by one person to another person, then—

- (a) if the person to whom the sum is ordered to be paid was an officer of a court of summary jurisdiction, the production of a certificate purporting to be signed by that officer that the sum has not been paid to him, and
- (b) in any other case the production of a statutory declaration to a like effect purporting to be made by the person to whom the sum is ordered to be paid; shall be evidence of the facts therein stated, unless the court requires such officer or other person to be called as a witness. (C.J.A.A., 1914—s28.)

### *Explanation as to False Pretences*

133. Where a court of summary jurisdiction proposes to deal summarily in pursuance of this Act with a charge of obtaining by false pretences from any person any chattel, money, or valuable security with intent to defraud, the court shall, after the charge has been reduced to writing, and read to the person charged, state in effect that a false pretence means a false representation by words, writing, or conduct that some fact exists or existed, and that a promise as to future conduct not intended to be kept is not by itself a false pretence, and may add any such further explanation as the court may deem suitable to the circumstances. (S.J.A., 1899—s3.)

### *Temporary Detention*

134. Where a court of summary jurisdiction has power to pass a sentence of imprisonment, the court, in lieu of passing a sentence of imprisonment, may order that the offend-

er be detained within the precincts of the court, or at any police station, till such hour, not later than eight in the evening on the day on which he is convicted, as the court may direct.

Provided that a court of summary jurisdiction shall, before making an order of detention under this section, take into consideration the distance between the place of detention and the offender's abode (if his abode is known to, or ascertainable by, the court), and shall not make any such order of detention under this section as will deprive the offender of a reasonable opportunity of returning to his abode on the day on which such order of detention is made. (C.J.A.A., 1914—s12.)

Respecting  
sentences.

135. (1) No person shall be sentenced to imprisonment by a court of summary jurisdiction for a period of less than five days.

(2) Where a person is liable to be sentenced to imprisonment by a court of summary jurisdiction, the court may, if any suitable places provided and certified in manner hereinafter appearing are available for the purpose, order the person to be detained therein for such period not exceeding four days as the court thinks fit, and the order shall be delivered with the offender to the person in charge of the place where the offender is to be detained and shall be a sufficient authority for his detention in that place in accordance with the tenor thereof. (C.J.A.A., 1914—s13.)

(3) The Minister of Justice may, on the application of any police authority, certify any police cells, lock-ups, or other similar places provided by the authority to be suitable places for the detention of persons sentenced to detention under this section, and may make regulations for the inspection of places so provided, the treatment

of persons detained therein, and generally for carrying this section into effect :

Provided that in any such case no female shall be so detained unless provision is made for her supervision by a female officer.

*Searching of Prisoners.*

136. Where any property has been taken from a person charged before a court of summary jurisdiction with any offence punishable either on indictment or on summary conviction, a report shall be made by the police to such court of summary jurisdiction of the fact of such property having been taken from the person charged and of the particulars of such property, and the court shall, if of opinion that the property or any portion thereof can be returned consistently with the interests of justice and with the safe custody of the person charged, direct such property, or any portion thereof, to be returned to the person charged or to such other person as he may direct. (S.J.A., 1879—s44.)

137. (1) Where a person has been adjudged to pay a sum by a conviction of a court of summary jurisdiction, or in proceedings in any such court for enforcing an order in any matter of bastardy, or an order under which weekly sums are made payable towards the maintenance of a wife, the court may order him to be searched and any money found on him on apprehension, or when so searched, or which may be found on him when taken to prison in default of payment of the sum so adjudged to be paid, may, unless the court otherwise directs, be applied towards the payment of the sum so adjudged to be paid, and the surplus, if any, shall be returned to him :

Provided that the money shall not be so applied if the court is satisfied that the money

does not belong to the person on whom it was found, or that the loss of the money will be more injurious to his family than his imprisonment.

*Fines, Fees, etc.*

Fines, &c.

138. (1) A court of summary jurisdiction in fixing the amount of any fine to be imposed on any offender shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the court; and where a fine is imposed the payment of the court fees and police fees payable in the case up to and including conviction shall not be taken into consideration in fixing the amount of the fine, or be imposed in addition to the fine, but the amount of the fine, or of such part thereof as may be paid or recovered, shall be applied as follows:

- (a) in the first place in the repayment to the informant or complainant of any court or police fees paid by him;
- (b) in the second place in the payment of any court fees not already paid by the informant or complainant which may be payable under the table of fees set out in the Sixth Schedule to this Act;
- (c) in the third place in the payment of any police fees not already paid by the informant or complainant; and
- (d) the balance (if any) remaining after the aforesaid payments have been made shall be paid to the Department of Justice, which shall distribute the same according to law to such persons or bodies if any as may be entitled to same or part thereof, and otherwise shall apply the same to the use of the Colony.



- (2) In this section the expression "police fees" means all duly authorised fees payable to any constable in the execution of his duty. (S.J.A.A., 1914—s5.)

139. (1) The table of court fees set out in the Sixth<sup>Fees.</sup> Schedule to this act shall be substituted for any table of fees in force at the commencement of this Act in any court of summary jurisdiction.

140. (1) A warrant committing a person to prison in<sup>Issue of</sup> respect of non-payment of a sum adjudged to be<sup>warrant of</sup> paid by a conviction of a court of summary<sup>commitment in</sup> jurisdiction when such sum exceeds fifty dollars shall not be issued forthwith unless the court which passed the sentence is satisfied that he is possessed of sufficient means to enable him to pay the sum forthwith, or unless, upon being asked by the court whether he desires that time should be allowed for payment, he does not express any such desire, or fails to satisfy the court that he has a fixed abode, within Newfoundland where he may be found, or unless the court for any other special reason expressly directs that no time shall be allowed.

- (2) Where any such person desires to be allowed time for payment the court in deciding what time shall be allowed shall consider any representation made by him, but the time allowed shall not be less than three days:

Provided that if before the expiration of the time allowed the person convicted surrenders himself to any court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, and states that he prefers immediate committal to awaiting the expiration of the time allowed, that court may if thinks fit,

forthwith issue a warrant committing him to prison.

- (3) Where a person allowed time for payment as aforesaid appears to the court to be not less than sixteen nor more than twenty-one years of age, the court may, if it thinks fit, and subject to any rules made under this Act, order that he be placed under the supervision of such person as may be appointed by the court until the sum adjudged to be paid is paid, and in such case before issuing a warrant committing the offender to prison in respect of non-payment of the sum a court of summary jurisdiction shall consider any report as to the conduct and means of the offender, which may be made by the person under whose supervision the offender has been placed.

- (4) In all cases where time is not allowed for payment, the reasons of the court for the immediate committal shall be stated in the warrant of commitment. (C.J.A.A., 1914—s1.)

Time allowance  
for payment  
of fine, &c.

141. Where time has been allowed for the payment of a sum adjudged to be paid by a conviction or order of a court of summary jurisdiction, further time may, subject to any rules made under this Act, on the application by or on behalf of the offender, be allowed by a court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, or such court may, subject as aforesaid, direct payments by instalments of the sum so adjudged to be paid. (C.J.A.A., 1914—s2.)

Reduction of  
term on pay-  
ment of  
fine, &c.

142. (1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the non-payment of any sum of money adjudged to be paid by a conviction or order of

that or any other court of summary jurisdiction, that term shall, on payment of a part of such sum to any person authorized to receive it, be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days in the term as the sum paid bears to the sum adjudged to be paid:

Provided that, in reckoning the number of days by which any term of imprisonment would be reduced under this section, the first day of imprisonment shall not be taken into account, and that, in reckoning the sum which will secure the reduction of a term of imprisonment, fractions of a dollar shall be omitted.

- (2) Provisions may be made by rules under this Act for determining the persons authorized to receive such payments and the conditions under which such payments may be made. (C.J.A.A., 1914—s3.)

### *Subpoena Duces Tecum*

143. The provisions of sections 18, 35, 39, 150 and Witnesses; 151 of this Act, enabling a justice to issue a summons to subpoena, &c. any witness to attend to give evidence before a court of summary jurisdiction, shall be deemed to include the power to summon and require a witness to produce to such court books, plans, papers, documents, articles, goods, and things likely to be material evidence on the hearing of any charge, information, or complaint, and the provisions of those sections relating to the neglect or refusal of a witness, without just excuse, to attend to give evidence, or to be sworn, or to give evidence, shall apply accordingly. (C.J.A.A., 1914—s29.)

*Periodical Payments*

Periodical  
payments.

144. (1) Where a court of summary jurisdiction orders money to be paid periodically by one person to another, the court may, if it thinks fit order that the payment shall be made through an officer of the court or any other person or officer specified in the order.
- (2) Where a court of summary jurisdiction has either before or after the commencement of this Act ordered money to be paid periodically by one person to another, the court which made the order, or any other court of summary jurisdiction, may, if it thinks fit, order that the payment shall be made through an officer of the court or any other person or officer specified in the order.
- (3) Any order made either before or after the commencement of this Act by a court of summary jurisdiction for the periodical payment of money may, upon cause being shown upon fresh evidence to the satisfaction of the court, be revoked, revived, or varied by a subsequent order.
- (4) Nothing in this section shall prejudice or affect the powers and duties of courts of summary jurisdiction under the statutes relating to bastardy. (C.J.A.A., 1914—s30.)

Costs.

145. A court of summary jurisdiction to which an application is made for an order for the periodical payment of money, or for the variation, revocation, revival, or enforcement of such an order, may make an order for the payment by the applicant or the defendant, or both of them, of the costs of the court and such reasonable costs of either of the parties as the court thinks fit. (C.J.A.A., 1914—s31.)

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*Hard Labour.*

146. In all sentences of imprisonment under summary convictions before a Stipendiary Magistrate, Justice or Justices such sentence of imprisonment may be with hard labour during the term of imprisonment in the discretion of such convicting Magistrate or Justice.

*Whipping.*

147. (1) No person shall be sentenced to be whipped more than once for the same offence.

(2) No person shall be sentenced to be whipped otherwise than under a statutory enactment.  
(C.J.A.A., 1914—s36.)

*Forms.*

148. (1) Every information, complaint, summons, warrant or other document laid, issued or made for the purpose of or in connection with any proceedings before examining justices or a court of summary jurisdiction for an offence shall be sufficient if it contains a statement of the specific offence with which the accused is charged, together with such particulars as may be necessary for giving reasonable information as to the nature of the charge.

(2) The statement of the offence shall describe the offence shortly in ordinary language, avoiding as far as possible the use of technical terms, and without necessarily stating all the essential elements of the offence, and, if the offence charged is one created by statute, shall contain a reference to the section of the statute creating the offence.



- (3) After the statement of the offence, necessary particulars of the offence shall be set out in ordinary language in which the use of technical terms shall not be required.
- (4) Any information, complaint, summons, warrant or other document to which this section applies which is in such form as would have been sufficient in law if this Act had not passed shall notwithstanding anything in this section continue to be sufficient in law. (C.J.A., 1925, Cap. 86, Sec. 32.)

*Proceedings Not to be Quashed for Want of Form.*

Conviction not  
to be quashed  
for want of  
form.

149. No conviction or other proceeding by or before a Magistrate or Justice or Justices shall be quashed or set aside, nor shall an action lie thereon, for want of form only; provided it shall be made to appear that an offence within his or their jurisdiction, and upon which the conviction is founded, has been committed, or that the proceeding was within such jurisdiction.

*Enquiries Into Fires and Sudden Deaths*

Fires.

150. Whenever any building or property shall be injured or destroyed by fire, the Stipendiary Magistrate nearest to the place in which such fire shall occur, or such Justice as the Minister of Justice may appoint therefor, shall make an investigation to ascertain the cause or origin of the fire; and such Magistrate or Justice may enforce the attendance of such persons, to give evidence before him, as he may require, by summons or warrant and examine them under oath, and the proceedings and all depositions connected therewith shall be returned to the Minister of Justice for such further proceedings as may be prescribed by law; Provided that nothing herein contained shall be held to compel a witness to give any evidence that may tend to render him liable to the penalty for the commission of an offence.

151. In all cases of persons slain, drowned, suddenly<sup>4</sup> dead, *felo de se*, or dead in prison, or in cases where the medical attendant of any deceased person shall refuse to certify that such deceased person died from natural causes, an inquiry respecting the death of such person shall be held by a Stipendiary Magistrate, and for that purpose in addition to all other powers possessed by him as such Stipendiary Magistrate, he shall have and exercise all the powers, except the power of summoning jurors, which now are or may hereafter be vested in a Coroner under the law of England, and the proceedings in such enquiry, and all depositions connected therewith, shall be transmitted to the Minister of Justice for such further proceedings as may be required by law. Sudden deaths.

*Scale of Fees.*

152. In proceedings under this Act other than Civil<sup>Fees.</sup> Proceedings the Sixth Schedule hereto, and no others, may be charged and taken by the persons in such Schedule mentioned.

153. A printed table of the foregoing fees and costs<sup>Table of fees.</sup> shall be posted up in a conspicuous place in every Magistrate's office, Court House and police office in this Colony for public inspection.

154. Any person taking fees or costs than herein<sup>Amount of</sup> mentioned shall, for each offence, forfeit and pay upon<sup>fees.</sup> summary proceedings at the suit of any person, the sum of fifty dollars, whereof half shall go to His Majesty and the other half to the prosecutor.

*Powers of Rule Committee.*

155. (1) The Rule Committee constituted under<sup>Rules.</sup> Section 19 hereof may from time to time make, and when made, rescind, alter and add to, rules in relation to the following matters, or any of them, that is to say:

- (a) The giving of security under this act; and
  - (b) The forms to be used under this Act, in including the forms of any recognizance mentioned in this act, and
  - (c) The costs and charges payable under distress warrants issued by a court of summary jurisdiction, and
  - (d) Adapting to the provisions of this act the procedure before courts of summary jurisdiction under any Act passed before this Act, and
  - (e) Any other matter in relation to which rules are necessary to be made under or for the purpose of carrying into effect this Act.
- (2) The Rule Committee may, in the exercise of the power given it by this section, alter or add to any forms relating to summary proceedings contained in any other act.
- (3) Any rule purporting to be made in pursuance of this section shall after publication in the *Newfoundland Gazette* be judically noticed. (S.J.A., 1879—s29.)

*Fiat, etc., of the Attorney-General or Minister of Justice.*

Fiat of At-  
torney General:  
Proof.

156. Any document purporting to be the fiat, order or consent of the Attorney General or Minister of Justice for or to the institution of criminal proceedings in any particular form, and to be signed by the Attorney-General or Minister of Justice, shall be admissible as *prima facie* evidence without further proof. (C.J.A., 1925, Cap. 86, Sec. 34.)

*Warrants May Be Executed When Not In Possession.*

157. Any warrant lawfully issued by a justice for Execution of apprehending any person charged with any offence may warrants. be executed by any constable at any time notwithstanding that the warrant is not in his possession at that time, but the warrant shall, on the demand of the person apprehended, be shown to him as soon as practicable after his arrest. (C.J.A., Cap. 86,—s44.)

158. A Stipendiary Magistrate or two or more Justices Contempt of sitting in open Court shall in addition to any other powers court: Fine. heretofore possessed by them have power to sentence any person who shall be guilty of contempt in open Court to pay a fine not exceeding ten dollars or in default of payment thereof to be imprisoned for not more than seven days.

*Construction of Imperial Acts.*

159. Where, by any Act of Imperial Parliament con- Imperial Acts: Construction. cerning the Criminal Law, which is or may be at any time applied to or be in force in this Colony, a distinction is drawn between Petty Sessional and Occasional Courts or Court Houses, the sitting of two or more Justices of the Peace or of a Stipendiary Magistrate at any convenient place in open Court, shall be a sitting of a Petty Sessional Court at a Petty Sessional Court House, and the sitting on one Justice of the Peace alone at any convenient place in open Court, shall be a sitting of a sional Court in an Occasional Court House.

*Application of Acts.*

160. The following regulations shall be made for Application of the purpose of facilitating the application of this Act Acts. and any future Acts amending this Act to any future Act; that is to say:

- (1) Where in any future act, any offence is directed or authorized to be prosecuted summarily or dealt with on summary conviction, or any fine is directed or authorized to be recovered summarily or on summary conviction, or any other words are used implying that such offence is to be prosecuted or fine is to be recovered in manner provided by the Summary Jurisdiction Acts, this Act and any future Acts amending this Act shall apply accordingly; and
- (2) Where in any future act any sum of money is directed or authorized to be recovered before a court of summary jurisdiction, or in complaint made to a court of summary jurisdiction, or words are used (whether by authorizing the sum to be recovered summarily or in a summary manner or otherwise) which imply that such sum of money is to be recovered before a court of summary jurisdiction, or in manner provided by the Summary Jurisdiction Acts, the same may be recovered under the provisions of this act. (S.J.A., 1879—s55.)
- (3) Where in any future act a court of summary jurisdiction is authorized to order or require a person to do or abstain from doing any act or thing other than the payment of a sum of money; or where in pursuance of any such act any act or thing other than the payment of a sum of money is required or authorized by an order of a court of summary jurisdiction to be done, or is declared capable of being enforced summarily, or by summary order; or where in any such act any words are used implying that such act or thing is to be enforced in manner provided by the Summary Jurisdiction Acts, this Act, and any future Acts amending this Act shall apply accordingly. (S.J.A., 1879—s51.)



161. This Act shall (notwithstanding any special <sup>Application of this Act.</sup> provisions to the contrary contained in any of the statutes relating to His Majesty's revenue) apply to all informations, complaints, and other proceedings before a court of summary jurisdiction under or by virtue of any of the said statutes:

Provided, that where the sum adjudged by conviction under or by virtue of any of the said statutes to be paid exceeds two hundred and fifty dollars, the period of imprisonment imposed by a court of summary jurisdiction in respect of the non-payment of such sum, or in respect of the default of a sufficient distress to satisfy such sum, shall not exceed twelve months. (S.J.A., 1879—s53.)

#### *Levying of Sums in Bastardy, Etc.*

162. This act shall apply to the levying of sums ad-<sup>Application of</sup> judged to be paid by an order in any matter of bastardy, <sup>Act to cases of bastardy.</sup> or by an order which is enforceable as an order of affiliation, and to the imprisonment of a defendant for non-payment of such sums, in like manner as if an order in any such matter or so enforceable were a conviction on information, and shall apply to the proof of the service of any summons, notice, process, or document in any matter of bastardy, and of any handwriting or seal in any such matter, and to an appeal from an order in any matter of bastardy.

#### *Interpretation*

163. In this act, if not inconsistent with the context, <sup>Interpretation.</sup> the following expressions have the meanings hereinafter respectively assigned to them; that is to say,

The expression "child" means a person who in the opinion of the court before whom he is brought is under the age of over fourteen years:

The expression "young person" means a person who in the opinion of the court before whom he is brought is of the age of over fourteen and less than sixteen years:

The expression "adult" means a person who in the opinion of the court before whom he is brought is of the age of sixteen years or upwards:

The expression "person" includes a child, young person, and adult, and also includes a body corporate:

The expression "guardian" in relation to a child, includes any person who in the opinion of the court, having cognizance of any case in which a child is concerned, has for the time being the charge or control over such child:

The expression "prescribed" means prescribed or provided by any act which relates to any offences, penalties, fines, costs, sums of money, orders, proceedings, or matters, to the punishment, recovery, making, or conduct of which this Act expressly or impliedly applies or may be applied:

The expression "past act" means any act passed before the commencement of this Act, exclusive of this Act:

The expression "future Act" means any Act passed after the commencement of this Act:

The expression "fine" includes any pecuniary penalty or pecuniary forfeiture or pecuniary compensation payable under a conviction:

The expressions "sum adjudged to be paid by a conviction" and "sum adjudged to be paid by an

order'' respectively include any costs adjudged to be paid by the conviction or order, as the case may be, of which the amount is ascertained by such conviction or order:

The expression "sentenced to imprisonment" shall include cases where imprisonment is imposed by a court on any person either with or without the option of a fine, or in respect of the non-payment of any sum of money, or for failing to do or abstaining from doing any act or thing required to be done or left undone, and the expression "sentence of imprisonment" shall be construed accordingly.

164. This Act shall come into force and effect on and from the first day of January, A.D., 1931. Commence-  
ment of Act.

# SCHEDULES

## FIRST SCHEDULE

### *Enactments Repealed.*

Session and Chapter	Short Title or Title	Extent of Repeal.
Consolidated Statutes (3rd Series) Chapter 86.	Of Stipendiary Magistrates and Justices of the Peace	The Whole Chapter.
Consolidated Statutes (3rd Series) Chapter 95.	Of the Application of the Criminal Law of England and of Pardons.	Section 5, except in so far as it refers the Act 11 & 12 Vic. Cap. 44.
Consolidated Statutes (3rd Series) Chapter 96.	Of the Jurisdiction Power and Procedure of Magistrates and Justices of the Peace as to Certain Offences.	Section 10.
Consolidated Statutes (3rd Series) Chapter 97.	Of imprisonment in Certain Cases under Summary Jurisdiction.	The Whole Chapter.
12 & 13 Geo. V. Chapter 2.	The Children's Act 1921.	Sub-section (3) of Section 14.

## SECOND SCHEDULE

### *Civil Jurisdiction of Magistrate or Two Justices.*

1. All civil actions for the recovery of debt or damages to an amount not exceeding two hundred dollars, except:

(a) Actions for malicious prosecutions.

(b) Actions for false imprisonment.

- (c) Actions against justices of the peace or public officers for acts done in the execution of their duty.
- (d) Actions of libel or slander [save those provided for in Chapter 106 of the Consolidated Statutes (Third Series) and other actions of slander or libel where the amount of damages claimed does not exceed fifty dollars.]
- (e) Actions for wrongful dismissal where the damages claimed do not exceed fifty dollars.

2. Civil actions concerning the wages of labourers engaged in lumbering or mining or manual occupations connected therewith, to any amount.

### *THIRD SCHEDULE.*

#### *PART I.*

Offences for which a Stipendiary Magistrate or two or more Justices may try irrespective of the age, plea, or consent of the accused, and without the consent of the Minister of Justice:

1. Assault and battery.
2. Indecent assault, except attempts to commit murder and rape.
3. Larceny or attempts thereat where the sum or goods alleged to have been stolen or attempted to be stolen does not in the opinion of the Court exceed \$20.00.
4. Larceny from or stealing from the person where the sum or goods alleged to have been stolen does not in the opinion of the Court exceed in value \$20.00.



## Schedules.

5. Larceny as a clerk or servant, where the sum or value of goods alleged to have been stolen does not in the opinion of the Court exceed \$20.00.
6. Embezzlement by clerks or servants where the amount alleged to have been embezzled or sought to be embezzled does not in the opinion of the Court exceed \$20.00.
7. Receiving stolen goods where the value of the goods alleged to have been received does not in the opinion of the Court exceed \$20.00.
8. Obtaining or attempting to obtain money or goods by false pretences where the amount or value alleged to have been obtained or sought to be obtained does not in the opinion of the Court exceed \$20.00.

## PART II.

Offences for which a Stipendiary Magistrate or two or more Justices may try only with consent of guardian of accused if to be found and of the Minister of Justice:

1. All offences by children, except homicide, not included in Part I.

## PART III.

Offences for which a Stipendiary Magistrate or two or more Justices may try only with consent of the accused and of the Minister of Justice:

1. All offences by young persons, except homicide, not included in Part I.

## PART IV.

Schedules.

Offences by adults for which a Stipendiary Magistrate or two or more Justices may try with the consent of the accused and of the Minister of Justice :

1. Cutting and wounding.
2. Causing greivous bodily harm.
3. Simple larceny where the value of the whole of the property alleged to have been stolen does in the opinion of the Court exceed one hundred dollars.
4. Obtaining or attempting to obtain by any false pretence from any person any chattel, money or valuable security with intent to defraud where the amount of the money or the value of the whole of the chattels, valuable securities or property alleged to have been obtained or attempted to be obtained by such false pretences does not in the opinion of the Court exceed one hundred dollars.
5. Larceny from or stealing from the person where the value of the whole of the property alleged to have been stolen does not in the opinion of the Court before whom the charge is brought exceed one hundred dollars.
6. Larceny as a clerk or servant where the value of the whole of the property alleged to have been stolen does not in the opinion of the Court before whom the charge is brought exceed one hundred dollars.
7. Embezzlement by a clerk or servant where the value of the whole of the property alleged to have been embezzled does not in the opinion of

Schedules.

the Court before whom the charge is brought exceed one hundred dollars.

8. Receiving stolen goods where the value of the goods alleged to have been stolen does not in the opinion of the Court before whom the charge is brought exceed one hundred dollars.
9. Aiding, abetting, counselling, or procuring the commission of simple larceny, or of an offence declared by any Act for the time being in force to be punishable as simple larceny, or of larceny or stealing from the person, or of larceny as a clerk or servant, where the value of the whole of the property which is the subject of the alleged offence does not in the opinion of the Court before whom the charge is brought exceed one hundred dollars.
10. Attempt to commit simple larceny, or an offence declared by any Act for the time being in force to be punishable as simple larceny, or to commit larceny from or to steal from the person, or to commit larceny as a clerk or servant.
11. Concealment of birth.
12. Arson.
13. Offences under the Act 8 Geo. V., Cap. 35, entitled "Of the Currency."
14. Offences under Chapter 35 of the Consolidated Statutes (third series) entitled "Of the Postal and Telegraph Service and any Acts in amendment thereof."
15. Carnal knowledge of girls under sixteen years.

16. Larceny from a dwelling house or other build-<sup>Schedules.</sup>  
ing where the amount or value of money or  
goods stolen does not in the opinion of the  
Court exceed \$100.00.
17. Forgery and uttering where the amount invol-  
ved does not in the opinion of the Court ex-  
ceed \$100.00.
18. Escape from lawful custody and prison breach.

... PART V.

Offences by adults for which a Stipendiary Magis-  
trate or two or more Justices may with the consent of  
the Minister of Justice sentence upon the accused upon  
pleading guilty, but may not try if he pleads guilty or  
refuses to plead:

1. Simple larceny to any amount exceeding  
\$100.00.
2. Obtaining or attempting to obtain by any false  
pretence from any person, any chattel, money  
or valuable security with intent to defraud to any  
amount exceeding \$100.00.
3. Larceny from or stealing from the person to  
any amount exceeding \$100.00.
4. Larceny as a clerk or servant to any amount  
exceeding \$100.00.
5. Embezzlement by a clerk or servant to any  
amount exceeding \$100.00.
6. Receiving stolen goods to any amount exceed-  
ing \$100.00.

Schedules.

7. Aiding, abetting, counselling, or procuring the commission of simple larceny, or of an offence declared by an Act for the time being in force to be punishable as simple larceny, or of larceny or stealing from the person, or of larceny as a clerk or servant to any amount exceeding \$100.00.

8. Attempt to commit simple larceny, or an offence declared by any Act for the time being in force to be punishable as simple larceny, or to commit larceny from or steal from the person, or to commit larceny as a clerk or servant to any amount exceeding \$100.00.

#### FOURTH SCHEDULE

Table of imprisonments equivalent to certain sums under Section 69 or this Act:

The term of imprisonment upon conviction where distress is not satisfied shall be as follows:—

<i>Where amount of the Costs:</i>	<i>The terms of imprisonment shall not exceed</i>
Does not exceed two dollars and fifty cents .....	Seven days
Exceeds two dollars and fifty cents, but does not exceed five dollars.....	Fourteen days
Exceeds five dollars, but does not exceed twenty-five dollars.....	One month
Exceeds twenty-five dollars, but does not exceed one hundred dollars—.....	Two months
Exceeds one hundred dollars.....	Three months



FIFTH SCHEDULE.

Schedules.

Forms.

A.—CIVIL PROCEEDINGS.

1

Complaint.

Between A.B.

Address

Description

C.D.

Address

Description

plaintiff,

defendant.

The

day of

The plaintiff complains that

and claims the

sum of

for

Made before me                      this                      day of

J.P.,  
Stipendiary Magistrate.

2.

Summons to Appear.

Between A.B.

Address

Description

Address

Description

plaintiff,

and

To the defendant herein.

Schedules.

You are hereby summoned to appear before the court of summary jurisdiction sitting at on day the day of at the hour of in the noon, to answer to the plaintiff's claim, the particulars of which are hereto annexed.

Dated the day of

J.P.,  
Stipendiary Magistrate.

(L.S.)

---

3

*Summons to Witness*

Between A.B.

plaintiff,

Address

Description

and

C.D.

defendant.

Address

Description

To of

You are hereby required to attend before the court of summary jurisdiction sitting at on day the day of at the hour of in the noon, to give evidence in the above cause on behalf of the (plaintiff or defendant).

Dated the day of

J.P.  
Stipendiary Magistrate.

(L.S.)

## 4

Schedules.

*Judgment.*

Before the court of summary jurisdiction sitting at  
the day of one thousand  
hundred and

Between A.B. plaintiff,

Address

Description

and

C.D. defendant.

Address

Description

It is adjudged that the pay the (the  
sum of for debt (or damages) and the sum of  
for costs (instalments of for  
every days, the first instalment to be paid) forth-  
with (or on the day of ); and in default  
of payment that the sum due thereunder be levied by  
distress and sale of the goods or where security  
is accepted and that the be at liberty to give to  
the satisfaction of this court (or of security in the  
sum of with suret in the sum of,  
(each) for payment of the sum adjudged.

J.P.,  
Stipendiary Magistrate.

(L.S.)

### Schedules.

5

## Judgment Summons

The day of one thousand hundred and  
Between A.B. plaintiff,

Address

### Description

and

C.D.

defendant.

Address

### Description

To the above-named defendant (or plaintiff).

The plaintiff (or defendant) obtained a judgment against you the above-named defendant (or plaintiff) before the court of summary jurisdiction sitting at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, for the payment of \_\_\_\_\_ dollars and \_\_\_\_\_ cents.

And you having made default in payment of the said sum are hereby summoned to appear personally before the court of summary jurisdiction sitting at \_\_\_\_\_ on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_ (next), at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to be examined on oath by the court touching the means you have or have had since the date of the judgment to satisfy the sum payable in pursuance of the said judgment, and also to show cause why you should not be committed to prison for such default.

J.P.,

Stipendiary Magistrate.

(L.S.)

\$ c.

Amount of judgment and costs .....

Costs of distress against the goods, if any.....

[illegible]

	\$	c.	Schedules.
Deduct {	Amount paid .....		
	Instalments which were not required to have been paid before the date of the summons.		
	<hr/>		

Sums payable .....  
Costs of this summons .....  

---

Amount upon the payment of which no  
further proceedings will be had until  
default in payment of next instalment...  

---

6.

Order of Commitment.

Between A.B.	plaintiff,
Address	
Description	
	and
C.D.	defendant.
Address	
Description	

To all constables, and the keeper of his Majesty's prison  
at

The plaintiff (or defendant) obtained a judgment  
against the defendant (or plaintiff) before the court of  
summary jurisdiction sitting at on the day  
of for the payment of

Schedules.

And the defendant (or plaintiff) has made default in payment of the sum, and the defendant (or plaintiff) having been duly summoned to show cause why he shall not be committed to prison for such default:

And it being now proved that the defendant (or plaintiff) (now has or has had since the date of the judgment the means to pay the sum then due and payable in pursuance of the judgment, and has refused (or neglected or now refuses or neglects) to pay the same and has shown no cause why he should not be committed to prison.

It is ordered that the defendant (or plaintiff) be committed to prison for                      days, unless he sooner pay the said sum and costs stated below as that on the payment of which he is to be discharged.

And you the said constables are hereby required to take the defendant (or plaintiff) and deliver him to the keeper of his Majesty's prison at                      , and you the said keeer to receive the defendant (or plaintiff) and there keep him for                      days from the arrest under the order, or until he is sooner discharged by due course of law.

Dated the                      day of                      one thousand  
hundred and

J.P.,

Justice of the Peace (or Stipendiary Magistrate).

(L.S.)

\$                      c.

Total sum payable at the time of hearing of  
the judgment summons .....  
Cost of hearing of summons, and of this  
order .....

Total sum on payment of which the prison-  
er will be discharged .....



*Certificate for Discharge from Custody*

Between A.B., plaintiff, and C.D., defendant.

To the keeper of his Majesty's prison at

I hereby certify that the defendant (or plaintiff),  
who was committed to your custody by an order of  
commitment dated the                      day of                      , has  
paid the sum mentioned in the said order as that upon  
payment of which he would be discharged, and may in  
respect of the said order be forthwith discharged.

Dated the                      day of                      one thousand  
hundred

A.B.,                      J.P., or  
Clerk of the court of summary jurisdiction at

*Distress Warrant.*

Between A.B.	plaintiff,
Address	
Description	
	and
C.D.	...
Address	defendant.
Description	

To all constables

On the                      day of                      , it was ordered by the  
court of summary jurisdiction sitting at

Schedules.

that the derendant (or plaintiff) should pay to the plaintiff (or defendant) for debt (or damages) and for costs, forthwith (or on the day of ), and in default the sums due thereunder should be levied by distress and sale of the defendant's goods.

And default having been made, you are hereby commanded forthwith to make distress of the goods of the said defendant (or plaintiff) (except the wearing apparel and bedding of him and his family, and to the value of two hundred and fifty dollars, the tools and implements of his trade), and if within the space of five clear days next after the making of such distress the sum stated at the foot of this warrant to be levied, together with the reasonable charges of the making and keeping of the said distress, be not paid, then to sell the said goods by you distrained and pay the money arising thereby to the Magistrate or clerk of that court, and if no such distress can be found to certify the same to that court.

Dated the                      day of                      one thousand  
hundred and

J.P.,  
Stipendiary Magistrate.

(L.S.)

\$                      c.

Total amount to be levied.....

Amount adjudged .....

Paid .....

Remaining due .....

Costs of issuing this warrant.....

### B.—SUMMARY PROCEEDINGS.

### Schedules.

1

*Information or Complaint.*

Newfoundland:

To Wit.

The day of one thousand hundred and

The information (or complaint) if C.D. of (address and description), who upon oath (or affirmation) states that A.B. of (address and description) on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ in the \_\_\_\_\_

Taken before me.

J.P.,

Justice of the Peace.

## 2

### Summons to Defendant

To A.B. of

Whereas information on oath (or affirmation) has  
been laid (or complaint has been made) this day by  
for that you on the day of  
at aforesaid did

You are therefore hereby summoned to appear before the court of summary jurisdiction sitting at \_\_\_\_\_ on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to answer to the said information (or complaint).

Dated the                      day of                      one thousand  
   hundred and

J.P.,

Justice of the Peace.

(L.S.)

Schedules.

## 3.

*Summons for Forfeiture of Recognizance*

To A.B. of

You are hereby summoned to appear before the  
 court of summary jurisdiction sitting at on  
 day the day of at  
 the hour of in the noon, to show  
 cause why the recognizance entered into the  
 day of whereby you are bound to pay the  
 sum of should not be adjudged to be  
 forfeited.

Dated the day of one thousand  
 hundred and

J.P.,  
 Justice of the Peace.

(L.S.)

## 4

*Summons to Vary Sureties, etc.*

To A.B. of

You are hereby summoned to appear before the  
 court of summary jurisdiction sitting at on  
 day the day of at  
 the hour of in the noon, to show  
 cause why the order made by the court of summary  
 jurisdiction aforesaid (or sitting at ), on  
 the day of , against you to

find suret                    should not be varied or otherwise dealtSchedules.  
with.

Dated the                    day of                    one thousand  
                 hundred and  
                 **J.P.,**  
                 Justice of the peace.  
  

(L.S.)

\_\_\_\_\_

5

*Summons to Witness.*

To **E.F.**

Whereas **A.B.** has been charged by  
for that he on the                    day of                    , at  
                 aforesaid, did

And it appearing to me by the oath (or affirmation)  
of                    that you are likely to give material  
evidence therein on behalf of the informant (or com-  
plainant or defendant), and will not voluntarily appear  
for that purpose:

You are thereby summoned to appear before the  
court of summary jurisdiction sitting at                    , on  
                 day the                    day of                    , at the  
hour of                    in the                    noon, to testify what  
you know in such matter.

Dated the                    day of                    one thousand  
                 hundred and  
  
                 **J.P.,**  
                 Justice of the peace.  
  

(L.S.)

Schedules.

6

*Warrant for Apprehension of Defendant.*

To all constables:

Information on oath (or affirmation) has been laid (or complaint has been made) this day (or on the day of ) by that A.D. hereinafter called the defendant, on the day of at aforesaid, did,

(Where the defendant has been summoned, and has not appeared, add) And the defendant was thereupon summoned to appear before the court of summary jurisdiction sitting at on day the day of at the hour of in the noon, to answer to the said charge:

And oath (or affirmation, or declaration) has been made that the defendant was duly served with the summons, but did not appear, and that such information (or complaint) is true:

You are therefore hereby commanded to bring the defendant before the court of summary jurisdiction at forthwith (or on the day of , at the hour of in the noon), to answer to the information (or complaint).

Dated the day of one thousand hundred and

J.P.,  
Justice of the peace.

L.S.



*Warrant for Apprehension of a Witness.*

To all constables:

E. F. was duly summoned to appear before the court of summary jurisdiction sitting at \_\_\_\_\_ on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to testify what he should know concerning a certain information (or complaint) against A. B.:

And he has neither appeared thereto, nor offered any just excuse for his neglect:

And it has been proved on oath (or affirmation) that the summons has been duly served on him, and that a reasonable sum has been paid (or tendered) to him for his costs and expenses in that behalf:

You are therefore hereby commanded to bring him before the court of summary jurisdiction sitting at \_\_\_\_\_ forthwith (or on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon), to testify what he knows concerning the said matter.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
hundred and \_\_\_\_\_

J.P.,  
Justice of the peace.

(L.S.)

Schedules.

8.

*Warrant for Apprehension of Witness in First Instance.*

Whereas A. B. has been charged by \_\_\_\_\_ for  
 that he on \_\_\_\_\_ day of \_\_\_\_\_, at  
 in the \_\_\_\_\_ aforesaid, did

And it appearing to me by the oath (or affirmation)  
 of \_\_\_\_\_ that E. F. is likely to give material evi-  
 dence concerning the said matter, and that it is probable  
 he will not attend to give evidence unless compelled so  
 to do :

You are therefore hereby commanded to bring him  
 before the court of summary jurisdiction sitting at  
 forthwith (or on \_\_\_\_\_ the \_\_\_\_\_ day of  
 at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon).

Dated the \_\_\_\_\_ day \_\_\_\_\_ one thousand  
 hundred and \_\_\_\_\_

J.P.,  
 Justice of the peace.

(L.S.)

9.

*Commitment of Witness.*

To all constables, and to the keeper of his Majesty's  
 prison or gaol at \_\_\_\_\_

E. F. having appeared or being brought before the  
 court of summary jurisdiction sitting at \_\_\_\_\_  
 day, the \_\_\_\_\_ day of \_\_\_\_\_ to

testify what he should know concerning a certain mat-Schedules.  
 ter against A. B., refused to take an oath (or affirmation)  
 (or having taken an oath or affirmation) refused to  
 answer any (or a certain) question put to him concern-  
 ing the premises, and did not offer any just excuse for  
 his refusal:

You the said constables are therefore hereby com-  
 manded to convey the E. F. safely to the said prison, and  
 there deliver him to the keeper thereof, together with  
 this warrant, and you, the keeper of the said prison, to  
 receive him into your custody, and keep him for the  
 space of \_\_\_\_\_, unless he in the meantime  
 consents to be examined and answer concerning the  
 premises.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
 hundred and \_\_\_\_\_

J.P.,  
 Justice of the peace.

(L.S.)

---

10

*Commitment on Remand, etc.*

To all constables, and to the keeper of his Majesty's  
 prison at \_\_\_\_\_

A. B., hereinafter called the defendant, being  
 brought before the court of summary jurisdiction sitting  
 at \_\_\_\_\_ charged with having \_\_\_\_\_

The hearing of the case being adjourned:

You the said constables are therefore hereby com-  
 manded to convey the defendant to the said prison, and

Schedules.

there deliver him to the keeper thereof, together with this warrant, and you, the keeper of the said prison, to receive him into your custody, and keep him until the day of , 19 , and on that day to convey him before the court of summary jurisdiction sitting at at the hour of in the noon, to be further dealt with according to law.

Dated the day of one thousand  
hundred and

J.P.,  
Justice of the peace.

(L.S.)

---

# 11.

## *Conviction for Penalty, etc.*

Before the court of summary jurisdiction sitting at  
the day of one  
thousand hundred and

A. B., hereinafter called the defendant, is this day  
convicted for that he, on the day of , at  
within the aforesaid did

And it is adjudged that the defendant for his said  
offence do forfeit and pay the sum of and do  
also pay the further sum of for compensation  
and for costs (by instalments of for  
every days, the first instalment to be paid)  
forthwith (or on the day of ):

And in default of payment it is adjudged that (theSchedules.  
 sums due under this adjudication be levied by distress  
 and sale of the defendant's goods and in default of  
 sufficient distress that) the defendant be imprisoned in  
 his Majesty's prison or gaol at and there kept  
 (to hard labour) for the space of unless the  
 said sums (and all costs and charges of the (sa'id distress  
 and) commitment) be sooner paid.

J.P.,  
 Justice of the peace.

(L.S.)

*Indorsement Where Security for Payment is Permitted.*

It is ordered that the defendant be at liberty to give  
 to the satisfaction of (this court) security in the sum of  
 with suret in the sum of  
 (each) for the due payment of the said sums  
 as adjudged.

12.

*Conviction (Imprisonment).*

Before the court of summary jurisdiction sitting at  
 the day of one  
 thousand hundred and

A. B., hereinafter called the defendant, is this day  
 convicted for that he, on the day of ,  
 at , within the aforesaid, did

And it is adjudged that the defendant, for his said  
 offence, be imprisoned in his Majesty's prison or gaol at

Schedules.

and there kept (to hard labour) for the  
space of

(If costs are ordered, add:—

And it is ordered that the defendant pay to  
the sum of                      for costs (by instalments of  
for every                      days, the first instalment to be paid)  
forthwith (or, on the                      day of                      ):

And in default of payment it is ordered that the sum  
due be levied by distress and sale of the defendant's  
goods, and in default of sufficient distress that the de-  
fendant be imprisoned in the said prison or gaol for the  
space of                      commencing at the termination  
of the imprisonment before adjudged, unless the said  
sum (and all costs and charges of the (said distress and)  
commitment, be sooner paid).

J.P.,

Justice of the peace.

L.S.

---

13.

*Conviction, Forfeited Recognizance.*

Before the court of summary jurisdiction sitting at

Dated the                      day of                      one thousand  
hundred and

A. B., hereinafter called the defendant, was by his  
recognizance entered into the                      day of                      ,



bound in the sum of \_\_\_\_\_, and his sureties C. D. Schedules.  
and E. F. in the sum of \_\_\_\_\_ each, the condition  
of the recognizance being that the said defendant should

And it being now proved that the defendant was on the  
\_\_\_\_\_ day of \_\_\_\_\_, convicted of the offence  
of having \_\_\_\_\_, the same being a breach of  
the said condition:

It is therefore adjudged that the said recognizance  
be forfeited, and that the said \_\_\_\_\_ pay to  
the sum of \_\_\_\_\_, and the further sum of \_\_\_\_\_ for  
costs (by instalments of \_\_\_\_\_ for every \_\_\_\_\_ days,  
the first instalment to be paid) forthwith (or on the  
day of \_\_\_\_\_).

And in default of payment it is ordered that the  
sum due from the said \_\_\_\_\_ under this adjudication  
be levied by distress and sale of his goods, and in default  
of sufficient distress that he be imprisoned in his Majes-  
ty's prison or gaol \_\_\_\_\_ for the space of \_\_\_\_\_  
unless the said sums (and all costs and charges of the  
(said distress and) commitment), be sooner paid.

J.P.,  
Justice of the peace.

(L.S.)

Schedules.

15.

*Conviction (by Consent) for Indictable Offence.*

Before the court of summary jurisdiction sitting at

Dated the                      day of                      one thousand  
hundred and

A. B., hereinafter called the defendant, being an adult within the meaning of the Summary Jurisdiction Act, is this day charged for that on the                      day of  
at                      in the                      aforesaid, did

The defendant having consented to be dealt with summarily, is convicted of the said offence:

And is adjudged (proceed as in other forms of conviction).

J.P.,  
Justice of the peace.

(L.S.)

---

16.

*Conviction (on Plea of Guilty) for Indictable Offence.*

Before the court of summary jurisdiction sitting at

the                      day of                      one thousand  
hundred and

A. B., hereinafter called the defendant, is this day charged for that he on the                      day of                      ,  
at                      in the                      aforesaid did

## 17.

Schedules.

*Conviction (With Security).*

Before the court of summary jurisdiction sitting at  
the                      day of                      one thousand  
hundred and

A. B., hereinafter called the defendant, is this day  
convicted for that he on the                      day of                      ,  
at                      in the                      aforesaid, did

But the court being of opinion that the said offence  
was of so trifling a nature that it is inexpedient to inflict  
any (or any other than a nominal) punishment, and the  
defendant having given security to the satisfaction of  
this court to appear for sentence when called upon (or  
to be of good behaviour), he is discharged.

(If costs are ordered, add:—

And it is ordered that the defendant pay to  
the sum of                      for costs (by instalments of  
for every                      days, the first instalment to be paid)  
forthwith (or on the                      day of                      ):

And in default of payment it is ordered that the sum  
due be levied by distress and sale of defendant's goods,  
and in default of sufficient distress that the defendant  
be imprisoned in his Majesty's prison at                      for  
the space of                      unless the said sum (and all costs  
and charges of the (said distress and) commitment be  
sooner paid).

J.P.,  
Justice of the peace.

(L.S.)

*Order for Money (Not a Civil Debt).*

Before the court of summary jurisdiction sitting at  
the day of one  
thousand hundred and

A. B. having made a complaint that C. D., herein-  
after called the defendant, on the day of  
at within the aforesaid, did

On hearing the said complaint, it is ordered that  
the defendant pay to the said the sum of  
and also the sum of for costs, (by instalments  
of for every days, the first instal-  
ment to be paid) forthwith (or on the day  
of ):

And in default of payment it is ordered that (the  
said sums be levied by distress and sale of the defend-  
ant's goods, and in default of sufficient distress that) the  
defendant be imprisoned in his Majesty's prison or  
gaol at and there kept (to hard labour)  
for the space of , unless the said sums (and  
all costs and charges of the (said distress and) commit-  
ment) be sooner paid.

J.P.,  
Justice of the peace.

(L.S.)

*Orders for Other Matters.*

Before the court of summary jurisdiction sitting at  
the day of  
one thousand hundred and

A. B. having made a complaint that C. D., herein-  
after called the defendant, on the day of  
at in the aforesaid did

On hearing the said complaint, it is ordered that the  
defendant do :

(If imprisonment is ordered, add:

And it is adjudged that if the defendant neglect or  
refuse to obey this order, he be imprisoned in his Majes-  
ty's prison at for the space of (or  
unless the said order be sooner obeyed).

And it is adjudged that if the defendant neglect or  
refuse to obey this order, he be imprisoned in his Majesty's  
prison or gaol at for the space of  
(or unless the said order be sooner obeyed.)

(If costs are ordered, add:

And it is ordered that the defendant pay to the said  
the sum of for costs (by in-  
stalments of for every days, the  
first instalment to be paid) forthwith (or on the  
day of ).

And in default of payment it is ordered that the sum  
due be levied by distress and sale of the defendant's  
goods, and in default of sufficient distress that the de-  
fendant be imprisoned in the said prison or gaol for the  
space of commencing at the termination of the  
imprisonment before adjudged, unless the said sum (and  
all costs and charges of the said distress and) commit-  
ment), be sooner paid).

J.P.,  
Justice of the peace.

(L.S.)

Schedules.

## 19.

*Order of Recognizance to Keep the Peace.*

Before the court of summary jurisdiction sitting at  
the day of one thousand  
hundred and

A. B. having made a complaint that C. D. hereinafter  
called the defendant, on the day of  
at , in the aforesaid, did

It is adjudged that the defendant do forthwith to  
the satisfaction of enter into a recognizance in  
the sum of with suret in the  
sum of (each) to keep the peace and be of  
good behaviour towards his Majesty and all his liege peo-  
ple, and especially towards the complainant, for the term  
of now next ensuing:

And it is adjudged that if the defendant fail to com-  
ply with this order he be imprisoned in his Majesty's  
prison or gaol for the space of  
unless he sooner complies with this order.

(If costs are ordered, add:—

And it is ordered that the defendant pay to the said  
the sum of for costs (by instal-  
ments of for every days, the first  
instalment to be paid) forthwith (or on the day  
of ):

And in default of payment it is ordered that the  
sum due be levied by distress and sale of the defendant's  
goods, and in default of sufficient distress and sale of  
the defendant's goods, and in default of sufficient dis-  
tress that the defendant be imprisoned in the said prison  
for the space of commencing at the termina-  
tion of the imprisonment before ordered, unless the said  
sum (and all costs and charges of the (said distress) and  
commitment), be sooner paid).

J.P.,

Justice of the peace.

(L.S.)



*Order of Dismissal.*

Before the court of summary jurisdiction sitting at  
 day of one thousand  
 hundred and

Information (or complaint) having been laid (or  
 made) by that A. B., hereinafter called the  
 defendant, on the day of at  
 in the aforesaid, did :

This court having heard and determined the said in-  
 formation (or complaint) doth hereby dismiss the same :

(If costs are ordered, add:—

And it is ordered that the informant pay to the de-  
 fendant the sum of for costs (by instalments  
 of for every days, the first in-  
 stalment to be paid) forthwith (or on the day  
 of ) :

And in default of payment it is ordered that the  
 sums due be levied by distress and sale of the informant's  
 (or complainant's goods, and in default of sufficient dis-  
 tress that the informant (or complainant) be imprisoned  
 in his Majesty's prison or gaol at for the space  
 of , unless the said sums (and all costs and  
 charges of the (said distress and) commitment, be sooner  
 paid).

J.P.,  
 Justice of the peace.

(L.S.)

*Certificate of Dismissal.*

I (or we) hereby certify that a charge made against  
for that he on the                      day of  
at                      in the                      aforesaid, did  
was this day heard and determined by the court of sum-  
mary jurisdiction sitting at                      and dismissed.

Dated the                  day of                  .                  one thousand  
                 hundred and                  .

J.P.,  
Justice of the peace.

(L.S.)

22.

*Warrant of Distress for Penalty, etc.*

To all constables:

A. B., hereinafter called the defendant, was on the \_\_\_\_\_ day of \_\_\_\_\_ convicted before the court of summary jurisdiction sitting at \_\_\_\_\_ for that he on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the \_\_\_\_\_ aforesaid did \_\_\_\_\_

And it was adjudged that the defendant for the said offence should be imprisoned (or forfeit and pay the sum of \_\_\_\_\_), and should also pay the sum of \_\_\_\_\_ (for compensation and \_\_\_\_\_) for costs (by instal-



Schedules.

## 23.

*Warrant of Distress on an Order for Money (Not a Civil Debt), or for Costs. Etc.*

Between \_\_\_\_\_, complainant, and  
 \_\_\_\_\_, defendant.

On the \_\_\_\_\_ day of \_\_\_\_\_ it was  
 ordered by the court of summary jurisdiction sitting  
 that the \_\_\_\_\_ should pay to  
 the \_\_\_\_\_ (the sum of \_\_\_\_\_ for \_\_\_\_\_,  
 and) the sum of \_\_\_\_\_ for costs (by instalments  
 of \_\_\_\_\_ for every \_\_\_\_\_ days, the first in-  
 stalment to be paid) forthwith (or on the \_\_\_\_\_ day  
 of \_\_\_\_\_), and that in default the said sums  
 should be levied by distress:

And default having been made in payment:

You are hereby commanded to forthwith make dis-  
 tress of the goods of the defendant (or complainant)  
 (except the wearing apparel and bedding of him, and his  
 family, and, to the value of two hundred and fifty dol-  
 lars, the tools and implements of his trade); and if with-  
 in the space of (five) clear days next after making of  
 such distress, unless he consents in writing to an earlier  
 sale, the sum stated at the foot of this warrant, together  
 with the reasonable costs and charges of the making  
 and keeping of the said distress, be not paid, then to  
 sell the said goods, and pay the money arising there-  
 from to the clerk of that court, and if no such distress  
 can be found, to certify the same to the court.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
 hundred and \_\_\_\_\_.

J.P.,  
 Justice of the peace.

(L.S.)

	\$	c.	Schedules.
Amount adjudged .....			
Paid .....			
Remaining due .....			
Costs of issuing this warrant.....			
Total amount to be levied.....			

## 24.

*Warrant of Distress for Sum due Under Recognizance.*

To all constables:

A. B. was by his recognizance entered into the  
day of bound in the sum of

And the condition of the said recognizance having  
been broken, it was on the day of  
adjudged by the court of summary jurisdiction sitting  
at that the said recognizance  
be forfeited, and that he do pay the said sum of ,  
and also do pay the further sum of , for  
costs (by instalments of for every  
days, the first instalment to be paid) forthwith (or on  
the day of ):

And default having been made in payment:

You are hereby commanded to forthwith make dis-  
tress of the goods of the said (except the  
wearing apparel and bedding of him and his family, and  
to the value of two hundred and fifty dollars, the tools  
and implements of his trade): and if within the space of

Schedules.

(five) clear days next after the making of such distress, unless he consents in writing to an earlier sale, the sum stated at the foot of this warrant, together with the reasonable costs and charges of the making and keeping of the said distress, be not paid, then to sell the said goods, and pay the money arising therefrom to the clerk of that court, and if no such distress can be found, to certify the same to that court.

Dated the                      day of                      one thousand  
hundred and                      .

J.P.,  
Justice of the peace.

(L.S.)

	\$	c.
Amount adjudged .....		
Paid .....		
<hr/>		
Remaining due .....		
Costs of issuing this warrant.....		
<hr/>		
Total amount to be levied.....		

---

25

*Return of Insufficient Distress to be Indorsed on Warrant.*

I,                      , constable, of                      , hereby certify that, by virtue of the within-written warrant, I have made diligent search for the goods of the within-named A. B., and that I can find no sufficient goods of him whereon the sums within mentioned can be levied.

Dated the                      day of                      one thousand  
hundred and                      .

X. Y.





Schedules.

A. B., hereinafter called the defendant, was this day  
(or on the                      day of                      ), before  
the court of summary jurisdiction sitting at                      ,  
convicted (or ordered) (reciting conviction or order):

And default having been made in payment:

And it appearing to this court that the defendant  
has no (sufficient) goods whereon to levy distress (or  
that the levy of the distress will be more injurious to the  
defendant and his family than imprisonment):

It is ordered that the defendant be imprisoned in  
his Majesty's prison aforesaid and there kept (to hard  
labour) for the space of                      , unless the said  
sum (and all costs and charges of his commitment and  
of his conveyance to the said prison) be sooner paid:

And you the said constables are hereby commanded  
to take the defendant, and convey him to the said prison,  
and there deliver him to the keeper thereof, together  
with this warrant; and you the keeper of the said prison  
to receive the defendant into your custody, and keep  
him (to hard labour) for the space of                      ,  
unless the said sum (and all costs and charges of his  
commitment).

Dated the                      day of                      one thousand  
hundred and                      .

J.P.,  
Justice of the peace.

(L.S.)

*Commitment Pending Return to Warrant of Distress*

To all constables, and to the keeper of his Majesty's  
prison or gaol at .

A. B., hereinafter called the defendant, was this day  
(or on the                    day of                    ) before the court  
of summary jurisdiction sitting at                    convicted  
(or ordered) (reciting conviction or order):

And default having been made in payment, a war-  
rant of distress was issued, but no return has been made  
thereto:

And the defendant not having given sufficient  
security to the satisfaction of this court for his appear-  
ance at the time and place appointed for the return of the  
warrant of distress:

You the said constables are hereby ordered to con-  
vey the defendant to the said prison or gaol, and there  
deliver him to the keeper thereof, together with this  
warrant; and you the keeper of the said prison or gaol to  
receive the defendant into your custody, and keep him  
until the                    day of                    , and on that  
day to convey him before the court of summary jurisdic-  
tion aforesaid (or sitting at                    ) at the hour of  
                  in the                    noon (unless he previously  
enters into a recognizance in the sum of                    with  
                  suret                    in the sum of (each) conditioned  
for his appearance on that day, or pays the sum of  
being the amount payable under such warrant).

Dated the                    day of                    one thousand  
                  hundred and                    .

J.P.,  
Justice of the peace.

(L.S.)

*Commitment in Default of Distress.*

To all constables, and to the keeper of his Majesty's prison or gaol at

A. B., hereinafter called the \_\_\_\_\_, was this day (or on the \_\_\_\_\_ day of \_\_\_\_\_) before the court of summary jurisdiction sitting at \_\_\_\_\_ convicted (or ordered) (reciting conviction or order):

And default having been made in payment, the constables were authorized by warrant dated the day of \_\_\_\_\_, to levy the sum of \_\_\_\_\_ by distress:

And it now appearing that no sufficient distress whereon to levy the said sum could be found (and that a balance of \_\_\_\_\_ is due under such adjudication or order):

You the said constables are hereby commanded to convey the defendant (or complainant) to the said prison or gaol, and there deliver him to the keeper thereof, together with the warrant; and you the keeper of the said prison or gaol to receive the defendant (or complainant) into your custody, and keep him (to hard labour) for the space of \_\_\_\_\_ (in lieu of the term originally imposed) unless the said sum (and all the costs and charges of the said distress, amounting to the further sum of \_\_\_\_\_ (and all the costs and charges of his commitment) be sooner paid).

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
hundred and \_\_\_\_\_

J.P.,  
Justice of the peace.

(L.S.)

*Commitment for a Penalty Without Distress.*

To all constables, and to the keeper of his Majesty's  
prison or gaol at .

A. B., hereinafter called the defendant, was this  
day (or on the                      day of                      ), before the  
court of summary jurisdiction sitting at                      , con-  
victed (or ordered) (reciting conviction or order).

And default having been made in payment:

You the said constables are hereby commanded to  
convey the defendant to the said prison or gaol, and  
there deliver him to the keeper, together with this war-  
rant; and you the keeper of the said prison or gaol to  
receive the defendant into your custody and keep him  
(to hard labour) for the space of                      , unless the  
said sums (and the costs and charges of his commit-  
ment) be sooner paid.

Dated the                      day of                      one thousand  
hundred and                      .

J.P.,  
Justice of the peace.

(L.S.)

---

31.

*Commitment on Sentence for Imprisonment Only.*

To all constables and to the keeper of his Majesty's  
prison or gaol at .

*Recite Conviction and Adjudication.*

A. B., hereinafter called the defendant, has been  
this day, before the court of summary jurisdiction sitting  
at                      , convicted (here recite conviction and  
adjudication).

You the said constables are hereby commanded to  
convey the defendant to the said prison or gaol, and

Schedules.

there deliver him to the keeper thereof, together with this warrant; and you the keeper of the said prison or gaol to receive the defendant into your custody, and keep him (to hard labour) for the space of .

Dated the                      day of                      one thousand  
hundred and                      .

J.P.,  
Justice of the peace.

(L.S.)

---

32.

*Commitment on an Order in the First Instance.*

To all constables and to the keeper of his Majesty's prison or gaol at .

A. B., hereinafter called the defendant, was, on the  
day of                      19                      , before the court  
of summary jurisdiction sitting at                      , ordered  
(here recite order).

And default having been made in payment (or obeying the said order):

You the said constables are hereby commanded to convey the defendant to the said prison or gaol, and there deliver him to the keeper thereof, together with this warrant; and you the keeper of the said prison or gaol to receive the defendant into your custody and keep him (to hard labour) for the space of                      , unless the said sums (or the said order be sooner obeyed) (and the costs and charges of commitment), be sooner paid

Dated the                      day of                      of one thousand  
hundred and                      .

J.P.,  
Justice of the peace.

(L.S.)



*Recognizance.*

We, the undersigned, severally acknowledge ourselves to owe to our sovereign lord the King the several sums following, namely \_\_\_\_\_ of \_\_\_\_\_ as principal, the sum of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ as suret \_\_\_\_\_ the sum of \_\_\_\_\_ each, to be levied on our several goods, lands, and tenements of the said principal fail in the condition herein endorsed.

(Signed, where not taken orally) A. B.  
L. M.  
N. O.

Taken (orally) before me the                      day of  
one thousand                      hundred and

J.P.,  
Justice of the peace.  
or (L.S.)  
Clerk of the court of summary jurisdiction  
at , or  
Superintendent of police.

*Condition.*

The condition of the above recognizance is such that if the above-bounden principal shall appear before the court of summary jurisdiction sitting at \_\_\_\_\_ on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to answer to the charges made against him by \_\_\_\_\_ and to be dealt with according to law.

(or shall appear before the court of summary jurisdiction sitting at \_\_\_\_\_ for sentence when called

Schedules.

upon).

(or shall keep the peace and be of good behaviour towards his Majesty and all his liege people, and especially towards \_\_\_\_\_ for the term of now next ensuing).

(or shall \_\_\_\_\_).

Then the said recognizances shall be void, but otherwise shall remain in full force.

---

35.

*Endorsement of Forfeiture of Recognizance.*

Before the court of summary jurisdiction sitting at \_\_\_\_\_

The within-mentioned principal not having complied with the said condition, this court adjudges the within-written recognizances to be forfeited.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
hundred and \_\_\_\_\_.

J.P.,  
Justice of the peace.

(L.S.)

---

36.

*Endorsement Mitigating Forfeiture.*

Before the court of summary jurisdiction sitting at \_\_\_\_\_

The within-mentioned recognizance having been adjudged to be forfeited, and A. B. \_\_\_\_\_ having applied to this court to cancel (or mitigate) such forfeiture, and having given security to the satisfaction of this court for the future performance of the condition of \_\_\_\_\_

the said recognizance, and having paid (or given security <sup>Schedules</sup> for payment of) the costs incurred in respect of the forfeiture thereof (or insert such other condition as the court may think just):

Therefore the said forfeiture is hereby cancelled (or mitigated to the sum of ).

Dated the                      day of                      one thousand  
hundred and

J.P.,  
Justice of the peace.

(L.S.)

---

37.

*Notice of Recognizance to be Given to the Defendant  
and His Sureties.*

Take notice that you A. B. are bound in the sum of  
as principal, and you L. M. (and N. O.)  
in the sum of                      as sureties, that you, the  
said principal, appear before the court of summary juris-  
diction sitting at                      on                      day, the  
day of                      , at the hour of  
in the                      noon, to answer to the charge made against  
you by                      and to be dealt with according to  
law (or as the case may be), and unless you, the said  
principal, appear accordingly the said sums will forth-  
with be levied on you severally.

Dated the                      day of                      one thousand  
hundred and

J.P.,  
Justice of the peace.

(L.S.)

Schedules.

38.

*Security For Penalty, Etc.*

A. B. hereinafter called the defendant, was this day (or on the day of ) by a certain conviction (or order) before the court of summary jurisdiction sitting at adjudged to pay the sum of (by instalments of for every days, the first instalment to be paid) forthwith (or on the day of ) and to give security for the due payment thereof:

Now, therefore, the defendant and his sureties C.D., of and E. F., of , hereby undertake that the defendant will pay the sum adjudged at the time and in the manner thereby directed and hereby severally acknowledge themselves severally bound to forfeit and pay to (the clerk of the court) the sum of in the case the defendant fails to perform their undertaking.

(Signed where not taken orally) A. B., Defendant  
C. D.,  
E. F.,) Sureties.

Taken (orally) before me the day of  
one thousand hundred and .

J.P.,  
Justice of the peace.

(L.S.)

---

 39.
*Security to Perform Condition of Forfeited Recognizance.*

A. B., hereinafter called the defendant, was by his recognizance entered into the day of

bound in the sum of : Schedules.

And the said recognizance has been adjudged to be forfeited, but the said defendant has applied to the court of summary jurisdiction sitting at to cancel (or mitigate) the forfeiture:

Now, therefore, the defendant and his sureties C. D. of and E. F. of hereby undertake that the condition of the said recognizance shall be duly performed (and that the said shall on or before the day of pay the sum of for costs incurred in respect of the said forfeiture); and hereby severally acknowledge themselves severally bound to forfeit and pay to (the clerk of the court) the sum of in case the said defendant fails to perform the condition of the said recognizance.

Signed (where not taken orally)

A. B.  
C. D.  
E. F.

Taken (orally) before me the day of  
one thousand hundred and

J.P.,  
Justice of the peace.

(L.S.)

*Notice to Principal of Forfeiture of Security.*

To A. B., of

Take notice that you have forfeited the sum of , for which you were bound by your un-

Schedules.      dertaking entered into the                      day of                      ,  
 and that unless you pay that sum to                      at  
    on or before the                      day of  
    a warrant of distress will be issued  
 for the recovery thereof.

Dated the                      day of                      one thousand  
    hundred and                      .

Justice of the peace

or

Clerk of summary jurisdiction at

---

41.

*Order Varying Order For Sureties.*

Before the court of summary jurisdiction sitting  
 at

A. B., hereinafter called the defendant, has been  
 under a warrant of commitment dated the  
 day of                      , issued by this court (or the  
 court of summary jurisdiction sitting at                      )  
 committed to prison for default in finding suret  
 in the sum of

Upon further consideration it is now ordered that  
 the amount in which the suret                      of the defendant  
 are to be bound be reduced to                      (or that the  
 obligation of the defendant to find suret                      be  
 dispensed with).

Dated the                      day of                      one thousand  
    hundred and

J.P.,

Justice of the peace.

(L.S.)



## 42.

*Order to Bring up a Prisoner.*

To the keeper of his Majesty's prison or gaol at

You are hereby ordered to bring A. B., now in your custody, before the court of summary jurisdiction sitting at                      on                      day of                      at the hour of                      in the                      noon, that he may enter into a recognizance with                      suret conditioned to keep the peace (or appear and try an appeal from the conviction (or order) of the court of summary jurisdiction sitting at                      dated the                      day of                      , or apply for re-examination), and may be thereupon released from your custody.

Dated the                      day of                      one thousand  
hundred and

J.P.,  
Justice of the peace.

---

## 43.

*Notice to Parent or Guardian of Child Charged with an Indictable Offence.*

To                      of.

A. B. has been charged with                      , and has been remanded until the sitting of the court of summary jurisdiction sitting at                      on the                      day of                      , at the hour of                      , and it has been alleged that you are his parent or (guardian).

If you desire that he be tried by a jury, and object to his case being dealt with summarily, you must attend before that court on that day and hour.

Dated the                      day of                      one thousand  
hundred and

J.P.,  
Justice of the peace.

*Declaration of Service.*

I \_\_\_\_\_, of \_\_\_\_\_, hereby  
solemnly declare that I did \_\_\_\_\_ on  
the day of \_\_\_\_\_ serve \_\_\_\_\_ of  
with the (warrant, summons, notice, process, \_\_\_\_\_)  
now shown to me and marked A by delivering a true  
copy thereof to him (or by leaving a true copy thereof  
with \_\_\_\_\_ for him at \_\_\_\_\_, being his  
last (or most usual place of abode).

Declared before me the \_\_\_\_\_ day of  
one thousand \_\_\_\_\_ hundred and \_\_\_\_\_

J.P.,  
Justice of the peace.  
(or other description).

---

45.

*Declaration as to Handwriting and Seal.*

I, \_\_\_\_\_, of \_\_\_\_\_, hereby  
solemnly declare that the signature to the document  
now produced and shown to me and marked A, is in the  
handwriting of \_\_\_\_\_, of \_\_\_\_\_ (and  
that the seal of the said document is the seal of \_\_\_\_\_)

Declared before me the \_\_\_\_\_ day of  
one thousand \_\_\_\_\_ hundred and \_\_\_\_\_

J.P.,  
Justice of the peace.  
(or other description).

## 46.

Schedules.

*Certificate of Clerk of the Peace that the Costs of an  
Appeal Have Not Been Paid.*

I hereby certify that at a court of (adjourned)  
general quarter sessions of the peace holden at \_\_\_\_\_,  
in and for the \_\_\_\_\_ of \_\_\_\_\_, on \_\_\_\_\_ the  
\_\_\_\_\_ day of \_\_\_\_\_, an appeal by  
against a conviction (or order) of the court of summary  
jurisdiction sitting at \_\_\_\_\_ was heard and determined,  
and that it was thereupon ordered that the said conviction  
(or order) should be confirmed (or quashed), and  
that the appellant (or respondent) should, on or before  
the \_\_\_\_\_ day of \_\_\_\_\_, pay to me the sum  
of \_\_\_\_\_ for the respondent's (or appellant's)  
costs of the said appeal.

And I further certify that the said sum for costs  
has not been paid.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
\_\_\_\_\_ hundred and \_\_\_\_\_

A.B.,  
Clerk of the peace.

To the keeper of the prison or gaol at \_\_\_\_\_

## 47.

*Certificate of Ability of Surety to Pay.*

Whereas A. B. \_\_\_\_\_ is now in your cus-  
tody under a warrant of a court of summary jurisdic-

Schedules.

tion dated the                      day of                      19                      ,  
 I hereby certify that the bearer of this C. D.  
 of                      (description) (whose  
 signature is in the margin hereof) has offered himself  
 as surety for the above-named prisoner and has satis-  
 fied me (or the court of summary jurisdiction sitting  
 at                      on                      ) of his ability to  
 pay the sum of \$                      in the event of the recog-  
 nizance (of the appearance of the said A. B. before the  
 court of                      ) referred to in the said  
 warrant becoming forfeited.

J.P.,

Justice of the peace.

---

*C.—PROCEEDINGS ON INDICTABLE OFFENCE.*

## 1.

*Information and Complaint for an Indictable Offence.*

(The information and complaint of C. D., of  
 to wit                      (fisherman, taken this                      day of  
    in the year of our Lord 19                      , before  
 the undersigned (one) of his Majesty's justices of the  
 peace in and for Newfoundland                      who saith  
 that (&c., stating the offence).

Sworn before (me), the day and the year above  
 mentioned, at

J. S.

## 2.

## Schedules.

*Warrant to Apprehend a Person Charged with an Indictable Offence.*

To the constable of \_\_\_\_\_ and to all other  
constables in Newfoundland:

Whereas A. B., of \_\_\_\_\_ (labourer), hath  
this day been charged upon oath before the under-  
signed (one) of his Majesty's justices of the peace of  
\_\_\_\_\_ for that he on  
at \_\_\_\_\_ did (&c., stating shortly  
the offence). These are therefore to command you, in  
his Majesty's name, forthwith to apprehend the said  
A. B., and to bring him before (me), or some other of  
his Majesty's justices of the peace, to answer unto the  
said charge, and to be further dealt with according to  
law

Given under my hand and seal, this  
day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ at  
\_\_\_\_\_ J. S. (L.S.)

## 3.

*Summons to a Person Charged With an Indictable Offence.*

To A. B., of \_\_\_\_\_ (labourer).

Whereas you have this day been charged before  
the undersigned (one) of his Majesty's justices of the  
peace \_\_\_\_\_ for that you on  
at \_\_\_\_\_ (&c., stating shortly the  
offence): These are therefore to command you, in his  
Majesty's name, to be and appear before me on  
at \_\_\_\_\_ o'clock in the forenoon at  
or before such other justice or justices of the peace of  
\_\_\_\_\_ as may then be there, to answer to the

said charge, and to be further dealt with according to law. Herein fail not.

Given under my hand and seal, this  
day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ at

J. S. (L.S.)

4.

*Warrant where the Summons is Disobeyed.*

To the constable of \_\_\_\_\_ and to all constables in  
Newfoundland:

Whereas on the \_\_\_\_\_ last past A. B., of  
\_\_\_\_\_ (labourer) was charged before the  
undersigned, (one) of his Majesty's justices of the  
peace of \_\_\_\_\_ for that (&c., as in the sum-  
mons): And whereas (I) then issued (my) summons  
to the said A. B., commanding him, in his Majesty's  
name, to be and appear before (me) on  
at \_\_\_\_\_ o'clock in the forenoon at  
or before such other justice or justices of the peace of  
\_\_\_\_\_ as might then be there, to answer to  
the said charge, and to be further dealt with according  
to law: And whereas the said A. B. hath neglected to  
be or appear at the time and place appointed in and by  
the said summons, although it hath now been proved  
to me upon oath that the said summons was duly served  
upon the said A. B.: These are therefore to command  
you, in his Majesty's name, forthwith to apprehend the  
said A. B., and to bring him before me, or some other  
of his Majesty's justices of the peace of  
to answer to the said charge, and to be further dealt  
with according to law.

Given under my hand and seal, this  
day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ at

J. S. (L.S.)



5.

Schedules.

*Warrant to Apprehend a Person Charged with an Indictable Offence Committed on the High Seas or Aboard.*

For offences committed on the high seas the warrant may be the same as in ordinary cases, but describing the offence to have been committed “on the high seas, out of the body of                      this Colony.”

---

6.

*Certificate of Indictment Being Found.*

I hereby certify that in the Supreme Court holden at                      on                      a bill of indictment was found by the grand jury against A. B., therein described as A. B., late of

J. D.,

(labourer), for that he (etc., stating shortly the offence), and that the said A. B. hath not appeared or pleaded to the said indictment.

Dated this                      day of                      19                      .

Registrar or (deputy registrar or clerk) of the Supreme Court.

---

7.

*Warrant to Apprehend a Person Indicted.*

To the constable of                      and to all other police officers in Newfoundland:

Whereas it hath been duly certified by J. D., registrar or (deputy registrar or clerk) of the Supreme Court, (that, &c., stating the certificate): These are therefore to command you, in his Majesty’s name, forthwith to apprehend the said A. B., and to bring him before (me), or some other justice or justices of the peace in and for the said                      to be dealt with according to law.

Schedules.

Given under my hand and seal, this  
day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ at \_\_\_\_\_

J. S. (L.S.)

## 8

*Warrant of Commitment of a Person Indicted.*

To the constable of \_\_\_\_\_ and to the keeper of  
the (gaol or penitentiary), at \_\_\_\_\_

Whereas by (my) warrant under (my) hand and seal, dated the \_\_\_\_\_ day of \_\_\_\_\_, after reciting that it had been certified by J. D. (&c., as in the certificate), (I) commanded the constable of \_\_\_\_\_, and all other police officers of \_\_\_\_\_, in his Majesty's name, forthwith to apprehend the said A. B., and to bring him before (me), the undersigned, (one) of his Majesty's justices of the peace of \_\_\_\_\_, or before some other justice or justices of the peace of \_\_\_\_\_, to be dealt with according to law: And whereas the said A. B. hath been apprehended under and by virtue of the said warrant, and being now brought before (me), it is hereupon duly proved to (me) upon oath that the said A. B. is the same person who is named and charged in and by the said indictment: These are therefore to command you the said constable, in his Majesty's name, forthwith to take and safely convey the A. B. to the said (gaol or penitentiary) at \_\_\_\_\_, and there deliver him to the keeper thereof, together with this precept; and I hereby command you the said keeper to receive the said A. B. into your custody in the said (gaol or penitentiary) and him there safely to keep until he shall be thence delivered by due course of law.

J. S. (L.S.)



Schedules.

made to appear to me upon (oath) that you are likely to give material evidence for the (prosecution): These are therefore to require you to be and to appear before me on                      next at                      o'clock in the forenoon at                      or before such other justice or justices of the peace for                      as may then be there, to testify what you shall know concerning the said charge so made against the said A. B. as aforesaid. Herein fail not.

Given under my hand and seal, this  
day of                      in the year of our Lord                      at

J. S    (L.S.)

---

11.

*Warrant Where a Witness has not Obeyed a Summnos.*

To the constable of                      and to all other constables:

Where as information having been laid before the undersigned, (one) of his Majesty's justices of the peace                      that A. B. (&c., as in the summons): and it having been made to appear to (me) upon oath that E. F. of                      (labourer), was likely to give material evidence for the prosecution, I did duly issue my summons to the said E. F., requiring him to be and appear before me on                      at                      or before such other justice or justices of the peace for                      as might then be there, to testify what he should know respecting the said charge so made against the said A. B. as aforesaid: And whereas proof hath this day been made before upon oath of such summons having been duly served upon the said E. F: And whereas the said E. F. hath neglected to appear at the time and place appointed by the said summons, and no

just excuse has been offered for such neglect: These <sup>Schedules.</sup>  
 are therefore to command you to bring and have the  
 said E. F. before me on at o'clock  
 in the forenoon at or before such other  
 justice or justices of the peace as may then  
 be there, to testify what he shall know concerning the  
 said charge so made against the said A. B. as aforesaid.

Given under my hand and seal, this day  
 of in the year of our Lord at

J. S. (L.S.)

---

12.

*Warrant for a Witness in the First Instance.*

To the constable of and all other constables:

Whereas information hath been laid before the  
 undersigned, (one) of his Majesty's justices of the  
 peace of that (&c., as in summons); and  
 it having been made to appear to (me) upon oath that  
 E. F., of (labourer), is likely to give  
 material evidence for the prosecution, and that it is  
 probable that the said E. F. will not attend to give evi-  
 dence without being compelled so to do: These are  
 therefore to command you to bring and have the said  
 E. F. before me on at o'clock  
 in the forenoon at or before such other  
 justice or justices of the peace of as may  
 then be there, to testify what he shall know concerning  
 the said charge so made against the said A. B. as  
 aforesaid.

Given under my hand and seal, this day  
 of in the year of our Lord at

J. S. (L.S.)

Schedules.

13.

*Warrant of Commitment of a Witness for Refusing to be  
Sworn or to Give Evidence.*

To the constable of \_\_\_\_\_ and to the keeper  
of the (gaol) at \_\_\_\_\_

Whereas A. B. was lately charged before the undersigned, (one) of his Majesty's justices of the peace of \_\_\_\_\_ for that (&c., as in the summons); and it having been made to appear to (me) upon oath that E. F., of \_\_\_\_\_, was likely to give material evidence for the prosecution, I duly issued my summons to the said E. F., requiring him to be and appear before me on \_\_\_\_\_ at \_\_\_\_\_ or before such other justice or justices of the peace as should then be there, to testify what he should know concerning the said charge so made against the said A. B. as aforesaid; and the said E. F. now appearing before me (or being brought before me by virtue of a warrant in that behalf, to testify as aforesaid), and being required to make oath or affirmation as a witness in that behalf, hath now refused so to do (or being duly sworn as a witness doth now refuse to answer certain questions concerning the presence which are here put to him), without offering any just excuse for such his refusal: These are therefore to command you the said constable to take the said E. F., and him safely convey to the (gaol) at \_\_\_\_\_ and there deliver him to the said keeper thereof, together with this precept; and I do hereby command you the said keeper of the said (gaol) to receive the said E. F. into your custody in the said (gaol), and him there safely keep for the space of \_\_\_\_\_ days for the said contempt, unless he shall in the meantime consent to be examined and to answer concerning the premises; and for your so doing that shall be your sufficient warrant.

Given under my hand and seal, this \_\_\_\_\_ day  
of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ at \_\_\_\_\_

J. S. (L.S.)



14.

Schedules.

*Depositions of Witnesses.*

(The examination of C. D. of  
to wit (farmer), and E. F., of  
(labourer), taken on (oath) this day of  
in the year of our Lord at  
before the undersigned (one) of his  
Majesty's justices of the peace of in the  
presence and hearing of A. B., who is charged this day  
before (me), for that he the said A. B., on  
at (&c., describing the offence as in  
a warrant of commitment.

This deponent C. D. on his (oath) saith as follows  
(&c., stating the deposition of the witness as nearly as  
possible in the words he uses. When his deposition is  
complete let him sign it).

And this deponent E. F., upon his oath, saith as  
follows (&c.).

The above depositions of C. D. and E. F. were  
taken and (sworn) before me at on the day  
and year first above mentioned.

---

15.

*Statement of the Accused.*

: A. B. stands charged before the un-  
dersigned, (one) of his Majesty's justices of the peace  
of this day of  
in the year of our Lord for that he the said  
A. B. on at (&c., as in the  
caption of the depositions); and the said charge being  
read to the said A. B., and the witnesses for the prosecu-

Schedules.

tion, C. D. and E. F., being severally examined in his presence, the said A. B. is now addressed by me as follows: "Having heard the evidence, do you wish to say anything to answer to the charge? You are not obliged to say anything unless you desire to do so; but whatever you say will be taken down in writing, and may be given in evidence against you upon your trial." Whereupon the said A. B. saith as follows:

(Here state whatever the prisoner may say, and in his very words, as nearly as possible. Get him to sign it if he will.)

A. B.

Taken before me at  
year first above mentioned.

the day and

J. S.

---

 16.

*Recognizance to Prosecute or Give Evidence.*

: Be it remembered that on the  
day of                      in the year of our Lord  
C. D. of                      in the District of  
farmer (or C. D. of No. 2                      Street in the town  
of                      surgeon)                      personally came  
before me, one of his Majesty's justices of the peace  
and acknowledged himself to owe to our  
sovereign lord the King the sum of                      of  
good and lawful money of Newfoundland, to be made  
and levied of his goods and chattels, lands and tene-  
ments, to the use of our said lord the King, his heirs and  
successors, if he the said C. D. shall fail in the condition  
indorsed.

Taken and acknowledged, the day and year first  
above mentioned, at                      before me

J. S.

*Condition to Prosecute.*

Schedules.

The condition of the within-written recognizance is such, that whereas one A. B. was this day charged before me J. S., justice of the peace within mentioned, for that (&c., as in the caption of the depositions), if therefore he the said C.D. shall appear at the next sitting of the Supreme Court to be holden at                      and there prefer or cause to be preferred a bill of indictment for the offence aforesaid against the said A. B., and there also duly prosecute such indictment, then the said recognizance to be void, or else to stand in full force and virtue.

*Condition to Prosecute and Give Evidence.*

Same as the last form to the asterisk\*, and then thus:—"and there prefer or cause to be preferred a bill of indictment against the said A. B. for the offence aforesaid, and duly prosecute such indictment and give evidence thereon as well to the jurors who shall then inquire of the said offence as also to them who shall pass upon the trial of the said A. B.—then the said recognizance to be void, or else to stand in full force and virtue."

*Condition to Give Evidence.*

Same as last form but one to the asterisk\*, and then thus:—"and there give such evidence as he knoweth upon a bill of indictment to be then and there preferred against the said A. B. for the offence aforesaid, as well to the jurors who shall there inquire of the said offence, as also to the jurors who shall pass upon the trial of the said A. B. if the said bill be found a true bill, then the said recognizance to be void, or else to stand in full force and virtue."

Schedules.

17.

*Notice of the said Recognizance to be Given to the Prosecution and his Witnesses.*

(Take notice, that you, C. D., of  
to wit (are bound in the sum of to ap-  
pear at the next sitting of the Supreme Court of  
to be holden at , and then and there (prose-  
cute and) give evidence against A. B.; and unless you  
then appear there and (prosecute and) give evidence ac-  
cordingly, the recognizance entered into by you will be  
forthwith levied on you.

Dated this

day of

19

J. S.

18.

*Commitment of Witness for Refusing to Enter into the Recognizance.*

To the constable of  
(gaol) at

and to the keeper of the

Whereas A. B. was lately charged before the under-  
signed, (one) of his Majesty's justices of the peace of  
for that (&c., as in the summons to the  
witness), and it having been made to appear to (me) upon  
oath that E. F., of was likely to give ma-  
terial evidence for the prosecution, (I) duly issued my  
summons to the said E. F., requiring him to be and ap-  
pear, before (M) on at or before  
such other justice or justices of the peace as should then  
be there, to testify what he should know concerning the  
said charge so made against the said A. B. as aforesaid;  
and the said E. F. now appearing before (me), (or

brought before (me) by virtue of a warrant in that be-Schedules.  
half, to testify as aforesaid), hath been now examined by  
(me) touching the premises, but being by (me) required  
to enter into a recognizance conditioned to give evidence  
against the said A.B. hath now refused so to do: These  
are therefore to command you the said constable to take  
the said E. F., and him safely to convey to the (gaol)  
at and there deliver him to the  
said keeper thereof, together with this precept; and I do  
hereby command you the said keeper of the said (gaol)  
to receive the said E. F. into your custody in the said  
(gaol) there to imprison and safely keep him until after  
the trial of the said A. B. for the offence aforesaid un-  
less in the meantime such E. F. shall duly enter into such  
recognizance as aforesaid in the sum of dollars,  
before some one justice of the peace, condi-  
tioned in the usual form to appear at the next sitting of  
the Supreme Court to be holden at and there  
give evidence before the grand jury upon any bill of in-  
dictment which may then and there be preferred against  
the said A. B. for the offence aforesaid, and also to give  
evidence upon the trial of the said A. B. for the said of-  
fence, if a true bill should be found against him for the  
same.

Given under my hand and seal, this day  
of in the year of our Lord at

19.

*Subsequent Order to Discharge the Witness.*

To the keeper of the (gaol) at

Whereas by (my) order dated the day  
of (instant), reciting that A. B. was  
lately before them, charged before (me) for a certain of-





this precept; and I hereby command you the said keeperScheduler.  
to receive the said A.B. into your custody in the said  
gaol, and there safely keep him until the day  
of instant, when I hereby command you to  
have him at at o'clock in the  
forenoon of the same day before me, or before such other  
justice or justices of the peace as may then be  
there, to answer further to the said charge, and to be fur-  
ther dealt according to law, unless you shall be  
otherwise ordered in the meantime.

Given under my hand and seal, this day  
of in the year of our Lord at  
J. S. (L.S.)

21.

*Recognizance of Bail Instead of Remand on an Adjourn-  
ment of Examination.*

: Be it remembered that on the  
day of in the year of our Lord  
A. B., of labourer, L. M., of , grocer  
and N. O., of , butcher, personally came before  
me, one of his Majesty's justices of the peace for  
and severally acknowledged themselves to owe to our  
lord the King the several sums following: that is to say  
the said A. B. the sum of and the said L. M.  
and N. O. the sum of each, of good and law-  
ful money of Newfoundland, to be made and levied of  
their several goods and chattels, lands and tenements re-  
spectively, to the use of our said lord the King, his heirs  
and successors, if the said A. B. fail in the condition  
endorsed.

Taken and acknowledged, the day and year first  
above mentioned at before me.

J. S.

Schedules.

*Condition.*

The condition of the within-written recognizance is such, that whereas the within-bounden A. B. was this day (or on last past) charged before me, for that (&c., as in the warrant): And whereas the examination of the witnesses for the prosecution in this behalf is adjourned until the day of instant; if therefore the said A. B. shall appear before me on the said day of instant, at o'clock in the forenoon, or before such other justice or justices of the peace for as may then be there, to answer (further) to the said charge, and to be further dealt with according to law, then the said recognizance to be void, or else stand in full force and virtue.

---

 22.

*Notice of the said Recognizance to be given to the Accused and his Sureties.*

: Take notice that you, A. B., of are bound in the sum of and your sureties L. M. and N. O. in the sum of each, that you A. B. appear before me J. S., one of his Majesty's justices of the peace for on the day of , instant, at o'clock in the forenoon, at , or before such other justice or justices of the peace for as may then be there, to answer further to the charge made against you by C. D., and to be further dealt according to law; and unless you A. B. personally appear accordingly the recognizances entered into by yourself and sureties will be forthwith levied on you and them.

Dated this day of , 19

J. S.

23.

Schedules.

*Certificate of Non-Appearance to be Endorsed on the  
Recognizance.*

I hereby certify, that the said A. B. hath not appeared at the time and place in the above condition mentioned, but therein hath made default, by reason whereof the within-written recognizance is forfeited.

J. S.

24.

*Warrant to Convey the Accused Before a Justice Near to  
the Place at Which the Offence was Committed.*

To W. T., constable of \_\_\_\_\_, and to all other  
constables in Newfoundland:

Whereas A. B., of \_\_\_\_\_, labourer, hath this day been charged before the undersigned, (one) of his Majesty's justices of the peace at \_\_\_\_\_, for that (&c., as in the warrant to apprehend): And whereas (I) have taken the deposition of C. D., a witness examined by (me) in this behalf; but inasmuch as (I) am informed that the principal witnesses to prove the said offence against the said A. B. reside at or near \_\_\_\_\_ where the said offence is alleged to have been committed: These are therefore to command you the said constable, in his Majesty's name, forthwith to take and convey the said \_\_\_\_\_ and there carry him before some justice or justices of the peace at that place where the offence is alleged to have been committed, to answer further to the said charge before him or them, and to be further dealt with according to law; and (I) hereby further command you the said constable to deliver to the

Schedules.

said justice or justices the information in this behalf, and also the said deposition of C. D. now given into your possession for that purpose, together with this precept.

Given under my hand and seal, this                      day of  
in the year of our Lord                                      at

J. S. (L.S.)

## 25.

*Recognizance of Bail.*

Be it remembered, that on the                      day of

in the year of our Lord                      A.B. of  
labourer, L.M. of                      grocer, and N.O., of  
butcher, personally came before (us) the undersigned, two  
of his Majesty's justices of the peace for                      , and  
severally acknowledged themselves to owe to our lord the  
King the several sums following; (that is to say), the said  
A.B. the sum of                      and the said L.M. and N.O. the  
sum of                      each, of good and lawful money of New-  
foundland, to be made and levied of their several goods and  
chattels, lands and tenements respectively, to the use of our  
said lord the King, his heirs and successors, if he the said  
A.B. fail in the condition indorsed.

Taken and acknowledged, the day and year first above  
mentioned at                      before us                      J. S.  
J. N.

*Condition in Ordinary Cases.*

The condition of the within-written recognizance is such, that whereas the said A.B. was this day charged before (us), the justices within mentioned, for that (&c., as in the warrant); if therefore the said A.B. will appear at the next sittings of the Supreme Court to be holden at                      and there surrender himself into the custody

of the keeper of the (common gaol) there, and plead to suchSchedules.  
indictment as may be found against him by the grand jury,  
for or in respect of the charge aforesaid, and take his  
trial upon the same, and not depart the said court without  
leave, then the said recognizance to be void, or else to stand  
in full force and virtue.

*Condition where the Defendant is entitled to a Traverse.*

The condition of the within-written recognizance is  
such, that whereas the said A.B. was this day charged be-  
fore (me), the justice within mentioned, for that (&c., as  
in the warrant or summons); if therefore the said A. B.  
will appear at the next sittings of the Supreme Court to be  
holden at and there plead to such indictment as  
may be found against him by the grand jury for or in re-  
spect of the charge aforesaid, and shall at the then next  
sittings of the Supreme Court surrender himself into the  
custody of the keeper of (gaol or penitentiary) there, and  
take his trial upon the said indictment, and not depart the  
said court without leave, then the said recognizance to be  
void, or else to stand in full force and virtue.

26.

*Notice of the said Recognizance to be given to the Accused  
and his Bail.*

Take notice that you A. B. of are bound in the  
sum of and your (sureties L. M. and N. O.) in the  
sum of each that you A. B. appear, &c. (as in the  
condition of the recognizance) and not depart the said court  
without leave; and unless you the said A. B. personally ap-  
pear and plead, and take your trial accordingly, the recog-  
nizance entered into by you and your sureties shall be  
forthwith, levied on you and them.

Dated this day of 19 .

J. S.

Schedules.

27.

*Certificate of Consent to Bail by the Committing Justice  
indorsed on the Commitment.*

I hereby certify, that I consent to the within-named  
A. B. being bailed by recognizance, himself in  
and (two) sureties in each.

J. S.

28.

*The like on a separate Paper.*

Whereas A.B. was on the committed by  
me to the (gaol) at charged with (&c., naming  
the offence shortly) :

I hereby certify, that I consent to the said A. B. being  
bailed by recognizance, himself in and (two) sureties  
in each.

Dated the day of 19 .

J. S.

29.

*Warrant of Deliverance on Bail being given for a Prisoner  
already committed.*

To the keeper of the (gaol) at

Whereas A. B., late of labourer, hath  
before (us, two) of his Majesty's justices of the peace  
for , entered into his own recognizance, and  
found sufficient sureties for his appearance at the next  
sittings of the Supreme Court to be holden at  
to answer our sovereign lord the King, for that (&c., as in  
the commitment) for which he was taken and committed to



your said (gaol) : These are therefore to command you, in<sup>Schedules.</sup>  
his Majesty's name. that if the said A. B. do remain in your  
custody in the said (gaol) for the said cause, and for no  
other, you shall forthwith suffer him to go at large.

Given under our hands and      ls this      day  
of      in the year of our Lord      at

J. S. (L.S.)

J. N. (L.S.)

---

30.

*Warrant of Commitment.*

To the constable of      and to the keeper of the  
(gaol) at

Whereas A. B. was this day charged before me J. S.,  
one of his Majesty's justices of the peace of

on the oath of C D. of      farmer, and others for  
that (&c., stating shortly the offence) : These are therefore  
to command you the said constable of      to  
take the said A. B., and him safely to convey to the (gaol)  
at      aforesaid and there to deliver him to the

keeper thereof with this precept; and I do hereby command  
you the said keeper of the said (gaol) to receive the said  
A. B. into your custody in the said (gaol) and there safely  
keep him until he shall be thence delivered by due course  
of law.

Given under my hand and seal this      day  
of      in the year of our Lord      at

J. S. (L.S.)

*Gaoler's Receipt to the Constable for the Prisoner.*

I hereby certify, that I have received from W. T., constable of the body of A B., together with a warrant under the hand and seal of J. S., Esquire, one of his Majesty's justices of the peace of ; and that the said A. B. was (sober, or, as the case may be), at the time so delivered into my custody.

P. K.

Keeper of the gaol or penitentiary.

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### SIXTH SCHEDULE

#### *Fees and Costs to be taken in Proceedings upon Indictable or Summary Offences.*

##### *A.—Fees to be paid by private prosecutors and Collected by means of stamps:*

Every deposition grounding any proceeding..	50 cents
Every summons or warrant commencing proceedings .....	50 cents
Every subpœna .....	25 cents
Every warrant of any kind in execution.....	50 cents
Every garnishee summons or judgment summons .....	50 cents
Every bond or recognizance taken.....	50 cents
Every certificate required from a Magistrate, Justice or Clerk.....	50 cents

**B.—Process Servers:** to be paid as follows:— Schedules.

Execution of warrant.....	50 cents
Service of any process.....	50 cents
And in addition where more than two miles have to be travelled to execute or serve, per mile necessarily travelled.....	25 cents

**C.—Witnesses—Conduct Money:**

Professional men subpœnaed as witnesses, per day .....	\$4.00
Special or expert witnesses, non-profession- al, per day .....	2.50
Ordinary witnesses, per day .....	1.50

*TRAVELLING EXPENSES.*

From home of witness to place of trial and back, per mile .....	.25
Together with such additional or special travelling or subsistence allowance as may be certified in writing by the Mag- istrate or Justice as fair and reasonable.	

**D.—Officers Executing Any Distress:**

Where the amount distrained exceeds five dollars, the officer executing the distress may be allowed five per cent on the sum distrained for.

**E.—Crown or Police Prosecutions:**

Fees set out in Part A. of this Schedule not to be charged.

**F.—Poor Persons:**

In any case where the Magistrate or Justice certifies that the applicant for a summons or warrant is too poor to pay, process may be issued free of the fees set out in Part A.

## CAP. XV.

*An Act Respecting Crown Lands, Timber, Minerals and Water Power.*

(Passed July 14, 1930).

## SECTION—

- 1.—Short title.
- 2.—Interpretation of terms.
- 3.—Governor in Council may prescribe fees where not specifically set forth herein.
- 4.—Repeals.
- 5.—Division of Act.
- 6.—Leases of lands for purposes of residence.
- 7.—Leases of lands for purposes of agriculture.
- 8.—Leases of sites for mills, etc.  
Fee simple grants.
- 9.—Lands to be surveyed, and fees paid.
- 10.—Surveyor to make enquiry for adverse claims
- 11.—Governor in Council may lay out lots for towns, villages, etc.
- 12.—Governor in Council may reserve lands for public purposes.
- 13.—Preservation and cultivation of trees.
- 14.—Governor in Council may set aside commons for pasturage.
- 15.—Reservation of public right of way around waters.
- 16.—Holders of grants, etc., to keep boundaries marked.
- 17.—Minerals, etc., reserved to Crown.
- 18.—Encroachments upon Crown lands, penalty; costs.
- 19.—Leases of bog lands.
- 20.—Application.
- 21.—Notice of intention to apply.
- 22.—Survey and report to be filed with petition.

## SECTION—

- 23.—Governor in Council may declare lands to be bog lands, and may lease same.
- 24.—Regulations for working of bog lands.
- 25.—Quarrying leases.
- 26.—Definition of quarry; reservation of minerals, etc., and waters.
- 27.—Leases of water powers.
- 28.—Data to be furnished by the applicant.
- 29.—Elevations to be referred to mean sea-level datum.
- 30.—Minister may require additional information.
- 31.—Notice of application to be advertised; form and proof of notice; hearing of objections.
- 32.—Issue of interim license.
- 33.—Deposit as guarantee of performance.
- 34.—Changes in plans not to be made without authorization.
- 35.—Access to works for purpose of inspection.
- 36.—Amendment of interim license.
- 37.—Extensions of time for construction.
- 38.—Notice of completion of initial development; survey thereof.
- 39.—Issue of final license.
- 40.—Terms of final license.
- 41.—Term of license to be fifty years.
- 42.—Rental.
- 43.—Effectiveness of license to authorize entry upon or use of lands.
- 44.—Right to flood public lands; such lands to be specifically mentioned in license.

## SECTION—

- 45.—Lands forming part of bed of waters; to be specifically mentioned in license.
- 46.—Roads or other public works not to be affected without special leave.
- 47.—Enforcement of full development of power to meet public demand.
- 48.—License authorizing increase in extent of power development.
- 49.—Sale of power to the Crown.
- 50.—Proceedings in case of default of licensee.
- 51.—Acceptance of license and undertaking to perform same.
- 52.—Alteration of dates of payment of rentals, etc.
- 53.—Temporary dispositions of lands reserved for ultimate use in connection with water-power.
- 54.—Minister may make rules as to procedure.
- 55.—Small water-powers.
- 56.—Miners' permits.  
Permit holders may prospect for minerals.
- 57.—Manner of exploration by permit holders.
- 58.—Permit holder may stake claims, etc.
- 59.—Certain lands not to be staked.
- 60.—Improved lands not to be prospected without permission.
- 61.—Prospecting not to give any exclusive rights.
- 62.—Reservation of mineral areas by Governor in Council.
- 63.—Staking out of minerals on behalf of the Crown.
- 64.—Manner of staking claim.
- 65.—Irregular or improper staking; removal, etc., of stakes; penalty.
- 66.—Substantial compliance with Act to be sufficient.
- 67.—Manner of application for claim which has been staked.

## SECTION—

- 68.—Entry of application in records.
- 69.—Disputes; manner of filing and receiving.
- 70.—Issue of certificate or record.
- 71.—Certificate of record to be conclusive.
- 72.—Revocation where certificate issued in mistake or obtained by fraud.
- 73.—Rights conferred by staking and recording.
- 74.—Abandonment of claims.
- 75.—Applications, transfers and assignments; procedure in relation to.
- 76.—Trusts in relation to mining claims.
- 77.—Certain rights must be evidenced by note or memorandum in writing.
- 78.—Form of transfer.
- 79.—Instruments must be signed by holder or by his agent appointed in writing. Proof of instruments.
- 80.—Unrecorded instruments other than wills to be void, etc.
- 81.—Recording to constitute notice to all persons.
- 82.—Priority of recording to prevail.
- 83.—Judgments and orders affecting mining claims to be recorded; certificates of proceedings pending; execution upon mining claims.
- 84.—Assessment work.
- 85.—Computation of time for performance of assessment work.
- 86.—Extension of time in case of death or illness.
- 87.—Contribution to assessment work by joint holders.
- 88.—Protection of persons performing assessment work for holder.
- 89.—Money equivalent of assessment work unperformed.
- 90.—Abandonment of claims,

## SECTION—

- 91.—Certain matters deemed to be abandonment.
- 92.—Forfeiture of claim.
- 93.—Relief against forfeiture may be granted by judge.
- 94.—Effect of expiration of permit of one of joint holders.
- 95.—Relief in case of death of permit holder.
- 96.—Inspection of claims by Minister.
- 97.—Report of inspection.
- 98.—Copy of report to be available to interested party.
- 99.—Compensation for surface rights.
- 100.—Reduction of surface area staked out.
- 101.—Issue of grant in fee simple.
- 102.—Grants to import issue under this Act.
- 103.—Effect of fee simple grant.
- 104.—Survey of claim before issue of grant.
- 105.—Report of survey.
- 106.—Correction of area if found incorrect on survey.
- 107.—Reservations for geophysical prospecting.
- 108.—Boring for gas, oil, coal or salt.
- 109.—Issue of boring lease for oil, gas, coal or salt.
- 110.—Dredging leases.
- 111.—Royalty of the Crown on profits of minerals: Ascertainment of the same.
- 112.—Mining partnerships; formation, rights and procedure.
- 113.—Actions and proceedings concerning mineral lands.
- 114.—Licenses to cut timber; reservation of three miles on coast; reservation of tracts by Governor in Council.
- 115.—Application to purchase license.
- 116.—Guarantee deposit.
- 117.—Maximum area under a license.

## SECTION—

- 118.—Surveying and cruising; deposit of cost of.
- 119.—Minister to cause lands to be surveyed and cruised.
- 120.—Survey need not be ordered when there are natural boundaries.
- 121.—Upset price to be fixed.
- 122.—Notice of sale by advertisement.
- 123.—Notices of sale by mail to persons on list.
- 124.—Contents of notice of sale.
- 125.—Sale to be by public auction.
- 126.—Sale to be to highest bidder.
- 127.—Payment of or security for purchase price; avoidance of sale on default; contract to be signed by purchaser.
- 128.—Bond for part of purchase price not paid.
- 129.—License to be issued to purchaser; ground rent.
- 130.—Effect of license.
- 131.—Expiry of licenses.
- 132.—Removal of licenses.
- 133.—Assignment of licenses.
- 134.—Conditions in licenses.
- 135.—Payments to Crown; interest on same when overdue; lien for same; enforcement of payment.
- 136.—Use of slides, dams, piers and booms.
- 137.—Rights of floating timber and of passage preserved.
- 138.—Pollution of public waters penalty.
- 139.—Scaling of timber.
- 140.—Authorization of sealers.
- 141.—Prohibition of export of timber from ungranted lands; penalty.
- 142.—Prohibition of export of unmanufactured timber from any lands; penalty.
- 143.—Holders of timber lands not to cut or buy from Crown lands; penalty.
- 144.—Saw mills to be licensed.



## SECTION—

- 145.—Issue, notice of, and period of licenses.
- 146.—Conditions of licenses; penalties.
- 147.—Effect of licenses.
- 148.—Licenses convey no right to water power.
- 149.—Fees for licenses.
- 150.—Refusal of licenses.
- 151.—Revocation of licenses.
- 152.—Receipt for royalties to be endorsed on license.
- 153.—Temporary licenses pending adjustment of returns.
- 154.—Operation of unlicensed mill, penalty.
- 155.—Moneys due Crown to be charge on mill.
- 156.—Board measure.
- 157.—Prohibition of rinding of trees; penalty.
- 158.—No title to timber cut on Crown lands unless removed.
- 159.—Reservation of areas from milling or cutting; notice; penalty.
- 160.—Minister may make regulations.
- 161.—Utilizations of all timber cut disposal of slash; precautions against fire; penalty.
- 162.—Rights of way, etc., for mining purposes; arbitration.
- 163.—Titles heretofore issued not to be affected.
- 164.—Cancellation of vacant mining locations.
- 165.—Proof of records in Department of Agriculture and Mines.
- 166.—Persons employed in Department not to receive grants. etc.
- 167.—Breeding of fish.
- 168.—Cases where mining locations may be applied for without staking.
- 169.—Foreshore not to be obstructed by holder of submarine mining location.

## SECTION—

- 170.—Acquisition of rights for access to submarine mining location.
- 171.—Arbitration therefor.
- 172.—Application of Judicature Act and arbitrations.
- 173.—Deposit under Section 171 may be made in securities.
- 174.—Inspection of works by person whose lands are affected.
- 175.—Correction of errors in fees.
- 176.—Correction of errors in case of inconsistent grants, etc.
- 177.—Correction of clerical errors, etc.
- 178.—Court may order delivery up of land wrongfully held over.
- 179.—Rights of holders of grants, etc., and of Minister for purposes of proceedings at law.
- 180.—Fee on issue of documents; payment of fees.
- 181.—Grant or lease not to issue until fees paid.
- 182.—Governor in Council may make rules and regulations.
- 183.—Applications to be by petition: inspection of records.
- 184.—Annual report of Minister.
- 185.—Surveyors to have right of passage.
- 186.—Molesting of surveyors or removal of marks; penalty.
- 187.—Penalties where not otherwise specifically provided.
- 188.—Hours of opening of Department.
- 189.—Labrador Act not to be affected.
- 190.—Suspending Section.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—*

INTERPRETATION.

Short title.

1. This Act may be cited as The Crown Lands Act, 1930.

Interpretation  
of terms.

2. In this Act:

(a) "Crown Lands" shall not include lands in the use or occupation of the Crown, or of any public Department of the Colony of Newfoundland, or of any officer or servant thereof, as such, or of any Municipality or School Board or like public body, or of the Newfoundland Railway or set apart and appropriated by lawful authority for any public purpose.

(b) "Court" shall mean the Supreme Court of Newfoundland.

(c) "Department" shall mean the Department of Agriculture or the Department of Mines, as the context may require.

(d) "Judge" shall mean a judge of the Supreme Court in Chambers; or, where a matter has been moved into Court by such judge. or ordered by him to be the subject of an action, shall mean the said Court where the context so permits.

(e) "Authorized Scaler" shall mean a person authorized in writing by the Minister to act as a scaler.

(f) "Minerals" shall mean all valuable deposits of gold, silver, platinum, iridium, or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, aluminum, anti-

mony, arsenic, barium, bismuth, boron, bromine, cadmium, chromium, cobalt, iodine, magnesium, manganese, molybdenum, phosphorus, plumbago, potassium, sodium, strontium, sulphur (or any combination of the aforementioned elements with themselves or with any other elements), asbestos, emery, mica and mineral pigments. Limestone, marble, clay, or any building stone shall not be considered as mineral within the meaning of this Act.

- (g) "Minister" shall mean the Minister of Agriculture and Mines.
- (h) "Prescribed" shall mean prescribed by this Act or by Order in Council or by rule or regulations made under the authority of this Act.
- (i) "Surface rights" shall where the context so permits, mean land granted, leased or otherwise lawfully held for agricultural or other purposes, the ores, minerals and mines whereof or under the surface whereof are reserved to the Crown.
- (j) "Colony" shall include the dependencies of Newfoundland unless otherwise expressly stated.

3. The Governor in Council may by regulation prescribe the fees to be paid under this Act, except where specifically set forth in the Act.

Governor in Council may prescribe fees where not specifically set forth herein.

### REPEAL

4. The Acts and parts of Acts set out in Schedule A hereto are repealed to the extent set out in the said Schedule.

Repeals.

### DIVISION OF ACT

5. This Act is divided into Parts, as follows:

Division of Act.

*Part I.*—Lands for Residence, Agriculture and Industry.

*Part II.*—Bog Lands.

*Part III.*—Quarries.

*Part IV.*—Water Powers.

*Part V.*—Mineral Lands.

*Part VI.*—Timber Lands.

*Part VII.*—Saw Mills.

*Part VIII.*—Miscellaneous Provisions.

### *PART I.*

## LANDS FOR RESIDENCE, AGRICULTURE AND INDUSTRY.

Leases of  
lands for  
purposes of  
residence.

6. The Governor in Council may lease to any person representing himself or herself to desire the same for the purpose of residence, any unoccupied Crown Lands not exceeding five acres to any one person. Such lease shall be paid for a period of five years at a rental of one dollar per year and upon the condition that the lessee shall erect a dwelling house upon the said land within the said period and shall put into cultivation at least one acre of the same. Upon proof to the satisfaction of the Minister of Agriculture and Mines that such house has been built and such area put into cultivation the Minister shall on application issue to the lessee a grant in fee simple. Provided that if such house shall be built but less than one acre of land shall be put into cultivation the Minister may issue a grant in fee simple of the site of the house and comprising one-half acre of land or such further amount as may actually have been put into cultivation.

Leases of lands  
for purposes  
of agriculture.

7. (1) The Governor in Council may lease to any person representing himself or herself to desire the same for the purpose of agriculture, unoccupied

Crown Lands not exceeding fifty acres to any one person. Such lease shall be for a period of five years at a rental of one dollar per year, and upon the condition that the lessee shall clear and put into cultivation ten per cent. of the area within two years and twenty-five per cent. within five years of the date of lease. Upon proof to the satisfaction of the Minister that such conditions have been complied with the Minister shall upon application issue to the lessee a grant in fee simple.

- (2) It shall further be a condition of every such lease that it shall be unlawful for the lessee at any time before he has received a grant in fee simple to cut, take or carry away from the said land any trees or timber, except in the course of clearing the said land for bona fide cultivation or for his actual use either for building or fencing upon or in connection with the said land, or for firewood. Any person violating this condition shall be liable to a penalty of twenty dollars for every tree or one hundred feet of timber so cut, taken or carried away, in addition to the value of the tree or lumber, to be recovered in a summary manner by any person who shall sue for the same, and also to the cancellation of his lease by the Minister.
8. (1) Where any person being the holder of a license <sup>Leases of sites</sup> or licenses to cut timber applies representing <sup>for mills, etc.</sup> himself to require land as a site for a saw mill <sup>Fee simple</sup> or pulp mill, or wood-working establishment of <sup>grants.</sup> any description, to make use of the timber from the lands comprised in such license, the Governor in Council may lease to such person lands not exceeding fifty acres in extent, either within the boundaries of such timber license or without them in a place suitable for use in conjunction with such license, at a rental of one dollar per

acre to be paid in advance on the 30th day of November in each year.

- (2) Such lease shall be upon the condition that the land shall be used for the purpose for which it is applied for, and that upon its ceasing to be used for such purpose for three consecutive years or upon the termination of the timber license or licenses, then it shall revert to the Crown.
- (3) Where such lease is situated outside the boundaries of the timber license or licenses in connection with which it is to be used, it shall be upon the further condition that no timber shall be cut from the same except such as is necessary for clearing space for building, for fencing, or for the making of fire-breaks for the protection of the buildings.
- (4) If the timber license or licenses in connection with which the said mill-site is held shall become forfeited for any reason, the lease of the mill-site shall stand forfeited or terminated also. In such case the lessee shall have the right to remove his machinery, mills and other buildings.

The Governor in Council may grant in fee simple to any person at a price of not less than Twenty-five Dollars per acre an area not exceeding ten acres of land to any one person in any one locality, subject to such terms and conditions as the Governor in Council may deem fit.

#### GENERAL PROVISIONS.

Lands to be  
surveyed, and  
fees paid.

9. All lands, for which application shall hereafter be made, shall be surveyed by a surveyor approved by the Minister of Agriculture and Mines, and a diagram thereof filed in the Department of Agriculture with the application, and all fees and amounts payable to the Crown on account



of such lands shall be paid before the issue of the lease or grant and within six months after notice to the applicant of the approval by the Governor in Council of the application. No priority shall exist with reference to application for lands which are not surveyed and upon which the fees aforesaid have not been paid within the time hereby limited.

10. No lease or grant shall be issued unless it has been reported by the Surveyor to the Minister that he has made careful enquiry in the locality of the lands the subject of the application and has not found an adverse claim or other reason why the lands should not be leased or granted to the applicant.

11. The Governor in Council shall have power from time to time to set apart and withdraw from purchase any tract or tracts of land which it may be considered by him expedient to lay out for towns or villages, or other like public purposes, and to cause the same to be surveyed and laid out, and the lots so laid out to be sold at public auction after one month's notice in the *Newfoundland Gazette* and one other newspaper under the hand of the Minister of Agriculture and Mines.

12. The Governor in Council may also set apart and appropriate such Crown lands as may be deemed expedient for the sites of market places, public buildings, gaols, court houses, places of public worship, cemeteries, schools, benevolent institutions, squares, parks, and for any other purpose, whether of the foregoing kind or not, which in the opinion of the Governor in Council may be for the public benefit, and, at any time before the issue of grants or leases therefor, may alter or revoke such appropriations as he deems expedient, and may make free grants for the purpose aforesaid of the lands so appropriated, the trusts and uses to which they are to be subjected being expressed in the lease or grants.

Preservation  
and cultivation  
of trees.

13. It shall be a condition of any grant, lease or license under this Part of this Act, that the holder thereof shall preserve at least five per cent. of all trees or wooded lands, as shelter for stock; and in cases where there are no trees, the grantee, lessee or licensee, shall plant and cultivate, or cause to be planted or cultivated, twenty trees every year for ten years for every acre contained in his grant, lease, or license.

Governor in  
Council may set  
aside commons  
for pasturage.

14. The Governor in Council shall have the power to set apart such areas or tracts of Crown lands as may be deemed necessary, to be used as commons for pasturage, subject to such rules, regulations and conditions as may be prescribed by the Governor in Council.

Reservation of  
public right of  
way around  
waters.

15. In all grants, leases and licenses there shall be reserved for public use a width of not less than twenty-five feet and not exceeding one hundred feet around and adjoining all lakes and ponds, and on both banks of all rivers, which lakes, ponds or rivers are or may be in the opinion of the Minister useful for the public for driving timber or for fishing.

Holders of  
grants, etc., to  
keep bound-  
aries marked.

16. All holders of grants, leases and licenses shall at all times keep up either a fence or good and substantial posts, mounds or monuments at all corners and angles of the land held by them, and shall keep the boundary lines through the woods connecting the said corners and angles open and clear to a width of at least three feet. The absence of such fence, posts, mounds, monuments or lines shall be a good defence in any action of trespass brought or taken by the holder of such grant, lease or license.

Minerals, etc.,  
reserved to  
Crown.

17. Minerals, coal, natural gas, oil and salt shall be reserved to the Crown in all leases or grants under this Part of the Act.

Encroachments  
upon Crown  
lands, penal-  
ty; costs.

18. Any person enclosing, marking off or taking possession of any Crown lands after the passing of this Act without first having obtained a title to the same from the

Crown under this Act or otherwise in accordance with law, shall be liable to a fine of not less than fifty dollars per acre so enclosed or taken into possession, which may be recovered in a summary manner before a Stipendiary Magistrate by suit in the name of the Minister of Agriculture and Mines. The judgment of the Magistrate shall be subject to appeal within fourteen days by either party to the Supreme Court. Any party other than the Minister of Agriculture and Mines so appealing shall give security to the satisfaction of the Magistrate for the costs of appeal. The Crown shall be liable to pay and entitled to receive costs in any proceedings hereunder.

## PART II.

### BOG LANDS.

19. The Governor in Council may lease for a term of <sup>Leases of</sup> years, in quantities not exceeding fifty acres, such areas of <sup>bog lands.</sup> Crown lands as shall be, after the survey and report hereinafter provided, declared to be bog lands under this Chapter. Minerals, coal, natural gas, oil and salt shall be reserved to the Crown in all leases under this Part of this Act.

20. Application for leases of bog land shall be to the <sup>Application.</sup> Governor in Council. Such application shall be signed by the applicant and verified by affidavit, and shall contain a description with boundaries and extent of the lands applied for.

21. Notice of intention to apply for a lease of such <sup>Notice of in-</sup> lands shall be published in the *Newfoundland Gazette* and <sup>tention to</sup> <sup>apply.</sup> one other newspaper published in this Colony for one month prior to the application.

22. The applicant shall file his petition in the office of <sup>Survey an</sup> the Minister of Agriculture and Mines and therewith shall <sup>report to</sup> also file a survey of the land applied for, made by a surveyor <sup>be filed</sup> approved by the Minister, and also a report, signed by such <sup>with petition.</sup>

surveyor, containing a statement of the nature of the land surveyed, whether barren, bog or wooded, and of the kind of timber growing thereon, and such other facts as may be considered necessary. No application shall be considered unless accompanied by such survey and report.

Governor in Council may declare lands to be bog lands, and may lease same.

23. After the consideration of such application, survey and report, and upon recommendation of the Minister of Agriculture and Mines, the Governor in Council may declare the lands to be bog lands, and may grant to the applicant, as hereinbefore provided, a lease of the same for such term, at such rent and subject to such conditions as he shall determine.

Regulations for working of bog lands.

24. It shall be lawful for the Governor in Council to make regulations as to the manner in which bog lands, leased under the provisions of this Chapter, shall be worked, so as to provide that bog shall not be removed therefrom beyond a depth to be specified in such regulations, and the lessee of bog lands to which such regulations shall apply shall be under obligation to observe the same as if the said regulations were conditions set forth in his lease. Upon proof to the satisfaction of the Governor in Council that the lessee has repeatedly and continuously violated any of such regulations, his lease may be cancelled by the Governor in Council without suit or other proceedings.

### PART III.

#### QUARRIES.

Quarrying leases.

25. The Governor in Council may grant leases of land for quarrying purposes. Such leases shall be for a term of not more than ninety-nine years, and shall comprise an area of not more than ten acres, and shall be at a rental of not less than five dollars per acre per year.

- (1) Applicants for such leases shall give notice of their intention to apply for same in the *Newfoundland Gazette* for one month prior to such application,

- (2) The lessee shall commence the work of quarrying within two years from date of the lease, and shall continue the effective operation of the said work during the term of the said lease.
- (3) Every such lease shall be upon the condition that if the lessee shall, for the space of five years, intermit the operation of work thereunder, the said lease shall be void, and the land therein comprised shall revert to the Crown without suit or proceeding.

26. A quarry for the purpose of this Act is a working <sup>Definition of</sup> for the purpose of getting limestone, granite, slate, marble, <sup>quarry. reser-</sup> gypsum, marl, gravel, sand, clay or any building stone, <sup>vation of min-</sup> orals, etc., and volcanic ash. No lease for a quarrying location shall con- <sup>waters.</sup>vey any right to coal, salt, petroleum, natural gas or minerals within or under the land covered by the lease, or any exclusive right or privilege with respect to any lake, river, spring, stream or other body of water within or bordering on or passing through the land covered by the lease.

#### PART IV.

#### WATER POWERS.

27. The Governor in Council shall have the power to <sup>Leases of</sup> lease any water power for such term of years and sub- <sup>water powers.</sup>ject to such rent and conditions as are hereinafter set forth.

28. Any person desiring to obtain a lease of a water <sup>Data to be</sup> power shall make application to the Minister for the same. <sup>furnished by</sup> Such application shall state with approximate accuracy the <sup>the applicant.</sup> following facts:

- (a) The name of the applicant;
- (b) The Post Office address and occupation or description of the applicant;



- (c) The name or a clear description of the river, lake, or other water course from which water is to be diverted or used;
- (d) The place where the water is to be diverted from or in the said water-course, located if possible by reference to some point already established by Crown Lands Surveyors, or by reference to some unmistakable natural feature or features; also the place where the water is to be returned or released similarly located.
- (e) The maximum quantity of water, expressed in cubic feet per second, which it is estimated will be ultimately diverted or used under the license applied for;
- (f) The estimated average head in feet which will be available for the production of power according to the plan of development proposed;
- (g) The estimated minimum amount of energy expressed in horse-power which will be developed on the turbine shaft or other water driven motor device within five years from the date of the application or within such other period as the applicant may state to be required for the completion of his initial development;
- (h) The estimated maximum amount of energy expressed in horse-power which it is estimated will ultimately be developed on the turbine shaft or other water driven motor device from the waters applied for;
- (i) Briefly the character and extent of all principal works which it is proposed to construct for diverting, conveying, or using the water or water-power, including dams, race-ways,



canals, tunnels, pipe lines and other water conduits, power-houses, mills and transmission lines; (in reference to every dam there shall be given its approximate maximum length and height, also its proposed type, and the material to be used in its construction).

- (j) If storage is involved, the location of each lake, basin or other place in which it is desired to store water; also, with reference to each such place the approximate number of acres of land which it is proposed to flood, the approximate area in acres of the surface of the reservoir when filled, the estimated vertical storage range in feet, and the total capacity of storage contemplated in acre-feet;
- (k) A reasonably accurate description and the area in acres of the lands which will be required to be occupied or used in the construction, maintenance or operation of the proposed works, noting separately lands required for rights of way and lands which are to be flooded:—
  - (i) Within Crown Lands.
  - (ii) Within privately owned lands.
- (l) A preliminary plan or sketch, preferably on tracing linen and cut to a uniform size of 20x17 or 30x26 inches with scale so selected as to show upon a single sheet the entire project applied for, with the approximate location of all the principal items;
- (m) The nearest neighboring works or structures completed or in the course of construction, both above and below the place of the proposed diversion, for diverting or using water for any

purpose from the same source of supply, and the approximate distance and direction of each such works from the proposed works; also the names and locations of any other works or structures whatever (including bridges, railways, and canals) which might affect or be affected by the construction, maintenance or operation of the proposed works;

- (n) The approximate discharge in cubic feet per second, at or near the place of diversion of the river, lake or other source from which the water is to be diverted at high, medium and low water stages respectively, also copies of any existing measurements in the applicant's possession of the flow of the stream and a reference to all other such measurements of which the applicant has knowledge;
- (o) Whether any chemical, mechanical or other fouling matter is proposed to be discharged from any works into the stream, and if so, the nature and probable quantity of such fouling matter;
- (p) Whether and where ladders to permit of the passage of salmon and other fish can be constructed in conjunction with the proposed works, if said works would otherwise prevent such passage; and the plan and description of such ladders;
- (q) Briefly an outline of the undertaking in respect of which the license is desired, including the use to which the power is to be applied, any sale, delivery or transfer thereof to other than the applicant which is contemplated, the territory, if any, within such sale, delivery or transfer is to be exercised, the probable de-

mand for power within such territory and an estimate of the capital cost of the entire undertaking.

- (r) The financial standing of the applicant with reference to his ability to carry out the proposed undertaking. (The applicant, when requested to do so by the Minister, shall file an affidavit setting forth such facts with respect to this Sub-section as the Minister may require, which affidavit will be treated as confidential).
- (s) If the applicant be an incorporated company, the statement shall, in addition to the foregoing information, set forth:—
  - (i) The names of the directors and officers of the company, and their places of residence;
  - (ii) The head office of the company in Newfoundland;
  - (iii) The amount of capital authorized, also the amounts of subscribed, and of paid-up capital, specifying in regard to the latter, (a) how much has been paid in cash, and (b) in what manner the balance has been paid for, also the proposed method of raising further funds, if required, for the construction and operation of the proposed works;
  - (iv) Copy of the special act of incorporation or memorandum and articles of association and a statement setting out the particular sections or parts thereof which authorize the company to make application and to carry out the proposed undertaking.

- (t) If the applicant be a municipality, town, village or other incorporated area, then the following special information shall be given in addition to that required in items (a) to (r) above, namely:—
- (i) The location, area and boundaries of the municipality, town, village or other incorporated area;
  - (ii) The approximate number of its inhabitants;
  - (iii) The present indebtedness of the municipality, town or village or other incorporated area and its borrowing limit;
  - (iv) A certified copy of any by-law or resolution passed by the municipality, town, village or other incorporated area respecting the application or the undertaking to which the application relates, also a certified copy of an enabling Act or other statutory provision authorizing the municipality, town, village or other incorporated area to engage in the proposed undertaking, or of any governmental or other authorization or permission in such case required.
- (u) If the application is refused by the Governor in Council the data referred to in this Section shall be returned to the applicant if he shall so request.

Elevations to be referred to mean sea-level datum.

29. All elevations given in connection with the plans or other information filed by an applicant should be referred, if possible, to mean sea-level datum.

Minister may require additional information.

30. The Minister may, at any time while an application is pending, irrespective of any other requirements of this Act, call for such additional plans, descriptions,

measurements, specifications, or other data, (whether related directly or indirectly to the proposed works and undertaking) as he considers necessary, and the same shall be furnished by and at the expense of the applicant.

31. (1) Upon the filing by the applicant of such data as in the opinion of the Minister are necessary to a clear understanding of the proposed undertaking the Minister shall cause the publication by and at the expense of the applicant of a notice of application in at least one issue of the *Newfoundland Gazette* and of a daily newspaper published in St. John's, and in more issues if the Minister considers it advisable.
- Notice of application to be advertised; form and proof of notice; hearing of objections.

- (2) Such notice shall be marked at the top in plain letters "Water Power Application," and shall be in a form approved by the Minister, and shall give substantially the following information:—

- (a) Name and address of applicant;
- (b) Date of application;
- (c) Name or clear description of source of supply;
- (d) Place of diversion clearly described;
- (e) Maximum horse-power capacity of proposed plant;
- (f) Nature of the undertaking and proposed utilization of the power;
- (g) A statement that the application has been filed with the Minister, and that protests or objections may be filed by any interested party with the Minister;

- (h) If storage or poundage of water is contemplated, the place of storage, the capacity of the intended reservoir, and a general description of the lands which will be flooded;
  - (i) Such other information as the Minister may require to be inserted.
- (3) Forthwith, after the said publication of notices has been completed, the applicant shall file proof of the said publication, such proof to be in the form of an affidavit satisfactory to the Minister, to be accompanied, in every case, by a copy of the notice as published.
  - (4) If, because of protests or objections being filed, or for other reasons, the Minister considers that a hearing thereon should take place before further proceedings, he shall designate a time and place for such hearing before himself or shall name a person to preside over and conduct the same. Such hearing may be adjourned from time to time, and the applicant may be permitted for the time being to continue the preparation of his plans and the carrying on of investigations, as may be deemed advisable.
  - (5) The Minister or person conducting the hearing shall make his findings in writing after which the Minister shall submit the application and the findings and all the papers in connection with both to the Governor in Council.

Issue of interim license.

32. Upon the receipt of the application and of the findings of the Minister regarding protests or objections, if any, the Governor in Council may, in his discretion, issue to the applicant an interim license embodying the matters set forth in the application and authorizing and



requiring the applicant to commence within one year and to complete within a period specified in such interim license, but not exceeding five years, works upon the lines set forth in his application.

33. (1) Within sixty days after being notified in writing by the Minister of the issue of his interim license the interim licensee shall deposit with the Minister the sum or sums hereinafter specified as a guarantee deposit fund for the purpose of guaranteeing the performance and fulfilment by the interim licensee of the terms and conditions of his interim license.

- (2) The amount of said guarantee deposit fund shall in the case of a power undertaking be computed according to the horse-power capacity of the site as determined by the Minister, according to the following scale:—

Each h.p. up to	1,000 h.p.....	\$2.00 per h.p.
The next	9,000 h.p.....	1.00 per h.p.
All over	10,000 h.p.....	0.50 per h.p.

- (3) In the case of a storage undertaking the amount of the guarantee deposit fund shall be computed on the estimated cost of the storage development as determined by the Minister, according to the following scale:—

5 p.c. on the first	\$100,000 of estimated cost.
2½ p.c. on the next	\$900,000 of estimated cost.
1 p.c. on the amount above	\$1,000,000 of estimated cost.

- (4) The guaranteeing deposit required under this section shall in no case exceed fifty thousand dollars; and may be in the form of one or more certified cheques upon a chartered bank or banks approved by the Minister.

- (5) The Minister shall refund the said deposit with accrued interest, if any, to the interim licensee as the actual construction work progresses, the first, second and third quarters thereof to be refunded when one-fourth, two-fourths, and three-fourths, respectively, of the initial development have been satisfactorily completed; the fourth quarter to be refunded when the final license is issued.
- (6) The interim licensee shall present to the Minister evidence of the satisfactory progress in the works to the stage required in compliance with the terms of his interim license, in the form of a statutory declaration or otherwise as may be required.
- (7) In case of any dispute as to the satisfactory completion of the first, second and third quarters of the said initial development the decision of the Minister upon the report of the Government Engineer shall be final.
- (8) If the interim licensee shall fail to comply satisfactorily with the terms of his interim license, the guarantee deposit fund shall be forfeited to the Crown.

Changes in plans not to be made without authorization.

34. The interim licensee, before making any material change in the works constructed or under construction in pursuance of his license or in the location thereof authorized, shall submit a complete and satisfactory statement and plans of such proposed change to the Minister, and shall not proceed to carry out the same until such proposed change has been authorized by the Governor in Council.

Access to works for purpose of inspection.

35. The Minister, the Government Engineer, or any engineer or person authorized by either for the purpose shall have free access at all times to all parts of the lands

being occupied or of the works being constructed by any interim licensee for the purpose of ascertaining whether the terms and conditions of the interim license are being satisfactorily carried out by the interim licensee.

36. Subject to this part of the Act the terms of any interim license may be amended by a supplementary <sup>Amendment of</sup> interim license. license entered into between the Governor in Council and the interim licensee; and plans and specifications previously approved may be amended with the consent in writing of the Governor in Council, but any such amendment shall affect only that portion specifically covered in such supplementary or amending license, and shall in no case operate to alter or amend or in any way whatsoever be a waiver of any other part, condition, or provision of the original interim license.

37. It shall be lawful for the Governor in Council, <sup>Extension of</sup> upon satisfactory proof that the work of construction <sup>time for</sup> was begun within the time specified in the interim license and <sup>construction.</sup> for reasons of an engineering nature which could not reasonably have been foreseen by the applicant could not be completed within the period provided by the interim license, to grant such extension of time, as may be deemed expedient for the completion of the works. No extension of time shall be granted unless it is shown by a report in writing signed by the Government Engineer that the interim licensee has satisfactorily completed the construction of a substantial part of the said initial development, and no extension of time shall be granted for a longer period than one year, and no second or subsequent extension of time shall be granted unless it is shown by report of the Government Engineer in writing that the interim licensee has completed within the extension period previously granted a further substantial part of the said initial development.

Notice of  
completion of  
initial develop-  
ment; survey  
thereof.

38. (1) As soon as the interim licensee has completed his initial development and otherwise fulfilled the terms of his interim license he shall file in the office of the Minister written notice of such completion and fulfilment.

(2) The Minister shall thereupon cause an inspection and if necessary a survey to be made of the works constructed or used and the lands and waters used or occupied in connection with the undertaking.

Issue of  
final license.

39. (1) Upon the completion of the initial development according to the plans previously approved and upon fulfilment and compliance otherwise with all the terms and conditions of his interim license and of such of the provisions of this part of the Act as are applicable to his case, the interim licensee shall be entitled to the issue in his favour by the Governor in Council of a final license authorizing the diversion, use, or storage of water at the site in question, for the development of energy therefrom, for the utilization of such energy, and for the occupation or use of the lands of the Colony which, in the Governor in Council's opinion, are required for the proper maintenance and operation of the works.

(2) It shall be optional with the Governor in Council to issue the license covering the rights granted with respect to the diversion and use of the waters and with respect to the occupation and use of the lands which are to be granted in the form of two or more separate indentures, but if such separate indentures are issued they shall be executed concurrently, and the terms and conditions of each such indenture shall be deemed to be

incorporated in all, and non-compliance with any term or condition in any such indenture shall be taken to be non-compliance with the terms and conditions of all.

- (3) Upon the issuance of any final license all rights held and obligations assumed under the interim license shall cease and determine.

40. The final license shall embody the terms which <sup>Terms of</sup> were set out in the interim license and in any amending <sup>final license.</sup> license which may have been issued.

41. Every license shall be limited to such term not <sup>Terms of</sup> exceeding fifty years from the time fixed in the original <sup>license to be</sup> interim license for the completion of the initial develop- <sup>fifty years.</sup> ment as may be agreed upon between the Governor in Council and the licensee.

42. (1) The annual license rental in any case shall <sup>Rental.</sup> begin to run not later than from and after the date fixed in the original interim license for the completion of the initial development whether the same shall have been completed or not. Extensions of time from any cause whatsoever shall not affect this provision.

- (2) The first payment of annual rental shall be for the part of the year embraced between the date fixed for the completion and the end of the then current calendar year. Subsequent rental payments shall cover the rentals for each successive calendar year or the part thereof during which the license is in force, or the licensee continues operations.

- (3) Every licensee shall, on or before the 31st day of March following each year of the interim and final license periods submit all data re-

quired by the Minister for the determination of his rental for the preceding calendar year. The Minister shall immediately proceed with the preparation of statements of rentals due for such calendar year and shall give the licensee notice thereof. Such rentals shall be payable within sixty days after the giving of such notice.

- (4) If any rentals are not paid on or before the latest date when by these regulations they are payable, ten per centum of the amount of such rentals shall be added thereto, and the total amount shall bear interest compounded annually at eight per centum from the said latest date until paid.
- (5) The rentals together with ten per centum added by way of penalty and interest as above provided shall be a first lien or charge upon the water-power development, property, assets, rents and revenues of the licensee, and shall attach to the said development, property and assets in priority to any incumbrance irrespective of change of ownership.
- (6) If any rental remains unpaid for more than one year after the latest date when by this Act it becomes payable, the licensee shall again be given notice thereof, and if not paid within sixty days after such notice has been given, the Minister shall,—
  - (a) Request the Attorney General to sue in any court of competent jurisdiction for the amount thereof together with the ten per centum added and interest as above provided, as a debt due to His Majesty, and the production of a written statement by the Minister of the sums so payable shall be a *prima facie*



evidence of such, and to supplement such action by garnishment proceedings against any persons indebted to the licensee for the purchase of electrical energy or other product of the undertaking, or by proceedings to foreclose the lien referred to in the last preceding sub-section; or,

(b) Take or initiate such action as is provided for  
 general cases of default as set out in Section 50.

(7) The acceptance of rental in any case shall not be or be deemed to be a waiver of any of the terms or conditions which have been accepted by the licensee.

(8) The rentals to be paid shall be such as may be determined from time to time by general regulations of the Governor in Council and published in the Newfoundland Gazette.

43. (1) Every license shall be valid and effective to <sup>Effectiveness of</sup> authorize the entry upon or use or occupation <sup>license to</sup> of any lands of the Colony only in such manner <sup>authorize entry</sup> and to such extent <sup>upon or use</sup> and for such length of time <sup>of lands.</sup> as may be necessary for the purpose of constructing, maintaining and operating the works authorized to be constructed, maintained and operated under such license.

(2) If, because of a change in the location of the said works, or because of their non-user or abandonment, or for any other reason, continued or further entry upon or the use or occupation of such lands in whole or in part for the said purposes becomes, in the opinion of the Governor in Council, unnecessary, the Minister shall give the licensee written notice of the contemplated withdrawal of such lands and the rea-

sons therefor, and such lands may thereupon be withdrawn in whole or in part from the operation of the license, by agreement of the parties. If the Minister and the licensee cannot reach a satisfactory agreement as regards the contemplated withdrawal within sixty days after the giving of the said notice; the Minister may refer the matter to the Supreme Court for determination.

- (3) The Supreme Court after hearing the matter may make an order withdrawing the said lands in whole or in part from the operation of the license.

Right to flood public lands; such lands to be specifically mentioned in license.

44. (1) Lands of the Colony required only for the purpose of flooding the same, whether in connection with a storage reservoir or for regulating the flow of a stream or otherwise, shall be set out in the interim or final license separately from the lands required for other purposes and no license shall be valid to convey any further use of such lands than the right of flooding the same in such manner and to such extent and at such times as may be required for the purposes of the undertaking.

- (2) Every grant of a right to flood lands of the Colony in connection with any undertaking shall be subject to the right of His Majesty to grant additional liberty or privilege to any person for any purpose or in any manner to enter upon, use or occupy the said lands, provided always that the rights of the interim or final license, as the case may be, shall not, in the opinion of the Governor in Council, be prejudicially interfered with by any such grant.

- (3) Every licensee shall, to the satisfaction of the Minister, clear and keep clear from timber,

brush and other materials, all lands which are to be flooded.

- (4) Such flooded lands shall not be fenced or otherwise enclosed except the Minister's consent in writing be first obtained.

45. (1) Lands forming part of the bed of any lake, river, stream or other watercourse, the use or occupation of which is required for the site of works authorized, or for the construction or the operation thereof, shall be set out in the interim or final license separately from lands required for other purposes, and no interim or final license shall convey any exclusive right in or to the use or occupancy of such lands, or any further right than may be required from time to time for the actual construction and operation of the said works.

- (2) Every grant of a right to use or occupy any lands of the Colony forming part of the bed of any lake, river, stream, or other watercourse shall be subject to the right of His Majesty to grant additional liberty or privilege to any person for any purpose or in any manner to enter upon, use or occupy the said lands provided always that—

- (a) The rights of the licensee shall not be prejudicially interfered with by any such grant;
- (b) The Minister shall give the licensee notice of the intention to grant such additional liberty or privilege, and an opportunity of being heard.

Roads or other public works not to be affected without special leave.

46. No roads, trails, telephone lines, buildings or other improvements, property of the Crown, shall be removed, altered or in any way affected by any interim or final licensee in the construction or operation of his works without the Minister's consent in writing having been first obtained, and except upon such conditions as the Minister by such writing may impose. The Minister, if he deems it necessary, may require the licensee to furnish a bond for the satisfactory carrying out of the provisions of this section.

Enforcement of full development of power to meet public demand.

47. Upon a report being made by the Government Engineer that a licensee has not developed the amount of power for which there is a public demand at remunerative prices and which could be reasonably developed from the flow of water granted under his license or controlled by him, the Governor in Council may order such licensee to develop and render available for public use the additional amount of power for which there is, in the opinion of the Governor in Council, a public demand, up to the full extent possible from the amount of water granted under such license and within a period to be fixed by the Governor in Council, which period shall be not less than two years after such licensee or the person in charge of the existing works shall have been notified of such order; and in default of compliance with such order the provisions of Section 50 shall be applied.

License authorizing increase in extent of power development.

48. If a licensee desires to develop, sell, use or dispose of any greater quantity of power than authorized by his license whether such increased disposal of power does or does not necessitate any addition to or alteration in the works, or desires to use or dispose of any power in connection with his undertaking in a manner or for a purpose other than as provided in such license, he must first apply to the Governor in Council for a license authorizing such additional development, sale, use or disposal or authorizing such use or disposal in such other manner or for such other purpose, as the case may be.

49. Every licensee whose undertaking involves the sale, barter, or exchange of the power authorized to be developed under his license shall sell power to the Crown when so required by the Minister at as low a price as is given to any other consumer for a like use at the same time and under similar conditions; provided always that such request is within the capacity of the said site and that the rights of any other consumer then holding a binding contract for the delivery of power are not thereby prejudiced

*Penalties for Default by Licensee.*

50. (1) If a licensee, in the opinion of the Governor in Council, has failed to observe or perform any term or condition, which, under his license or this part of the Act, he is required to observe or perform, the Governor in Council may, upon giving such licensee not less than sixty days notice, refer the matter of such non-observance or non-performance to the Supreme Court, and if the Court finds that the licensee has failed in his obligations, it may—

(a) Order specific performance by the licensee of the terms of the license;

(b) Order the payment of a sum by way of liquidated damages for the licensee's failure to perform the said terms

(2) If after any such order is given under the two preceding paragraphs, the non-observance or non-performance on the part of the licensee should be continued, or if the licensee should refuse or fail to comply satisfactorily with any such order, or if the Court should deem that non-compliance of the licensee is

of such a nature that the foregoing remedies are inapplicable, the Court may:

- (a) Authorize any person immediately and without further proceedings to take possession of all works, lands and properties whether real or personal, owned or held by the licensee within the power system and used or useful in respect of the undertaking, including books, statements, accounts, papers and records appertaining to such undertaking and to operate, manage and control the said undertaking, and to do all other things required to be done in the conducting or carrying on of the said undertaking, until:—
  - (i) A sufficient sum shall have been accumulated exclusive of all operating expenses and all costs of taking possession to liquidate the sums payable by the licensee and interest thereon and the cost of any proceeding connected therewith, or
  - (ii) Such other conditions are carried out as may, in the opinion of the Court, have been required to satisfy the terms of the license or regulations.
- (b) Order that upon a certain date not earlier than twelve months after the date of such order the license shall be cancelled, and that not earlier than six months from the date of the said order, and not later than the termination of the period fixed for cancellation, the lands, works and properties, whether real or personal, owned or held by the licensee, and used or useful in respect of the power development, shall be sold at execution sale.



- (3) If an execution sale is ordered as set out in paragraph (b) above, the Governor in Council upon the advice of the Minister, shall fix an upset price below which the properties may not be sold. The Minister shall also prepare a stipulation relative to the rights to be acquired and obligations to be assumed by the successful bidder, and no one shall be permitted to bid at such sale who has not previously agreed in writing to sign and abide by the terms of such stipulation and who has not been accepted by the Minister as a bidder, and who has not deposited, by way of guarantee, a sum equivalent to one-half of that required of interim licensees under Section 33 hereof.
- (4) The guarantee deposit mentioned in the last preceding sub-section shall be returned to unsuccessful bidders immediately upon termination of the sale; and the successful bidder's deposit may be returned as soon as in the opinion of the Court the transfer has been satisfactorily consummated and operation of the works and undertaking is being satisfactorily conducted.
- (5) If there is not a satisfactory buyer at the first execution sale, a second sale shall be held after a lapse of four months, under the same conditions as the first sale, except that the upset price of the sale shall not exceed the sum which represents the obligations of the licensee to the Crown as fixed by the Supreme Court and if no bids are received equal to or in excess of this sum from accepted bidders, the licensee shall forfeit all his rights, and the works and undertaking shall become the property of the Crown without any compensation to the licensee.

- (6) Any surplus arising out of a sale under this Section, above the sum which in the opinion of the Court will satisfy the obligations of the licensee shall be repaid to licensee.
- (7) If the license has been cancelled under the provisions of paragraph (b) of sub-section (2) hereof, and if, for any reason, the procedure provided in sub-sections (3) to (6) has not been completed, the Court may make any orders with respect to taking over and operating the works and undertaking of the licensee for the time being as it may deem equitable under all the circumstances.

*Miscellaneous Provisions.*

Acceptance of  
license and  
undertaking to  
perform same.

51. Before any license is executed the Minister shall submit to the prospective licensee a draft of the proposed license and shall secure from such licensee an acceptance thereof and an undertaking to observe and fulfil all the terms and conditions which under such license and under this part of the Act such licensee is required to observe or fulfil. Such acceptance and undertaking shall be made to bind the executors, administrators and assigns, or in the case of a corporation, the successors and assigns of the prospective licensee.

Alteration of  
dates of  
payment of  
rentals, etc.

52. If the Minister considers it advisable in order to systematize the accounting work of the Department to change the times of payment of rentals or other sums payable under any existing license or other concession, he may, by giving the licensee sixty days notice in writing, readjust such times of payment, provided always that the aggregate payment to be made under the said license or other concession is not increased by virtue of the authority hereby conferred.

53. Where lands have been reserved by the Governor in Council as being valuable for the development of any water-power to be dealt with only under this part of the Act, but cannot, in the opinion of the Governor in Council, be utilized in connection with such water-power development for a number of years, and where, in the opinion of the Governor in Council, the granting of temporary leases or licenses of occupation for other purposes will not interfere with the purposes of such reservation, applications for the temporary use and occupation of lands for such other purposes may be considered by the Governor in Council and conditional leases or licenses granted by him; provided always that it shall be stipulated in every such conditional lease or license that when, in the opinion of the Governor in Council, such lands are required in connection with such water-power development it shall be lawful for the Governor in Council on giving the conditional lessee or licensee not less than six months notice of such cancellation by writing under his hand to cancel such lease or license and determine the rights thereby conferred, and repossess himself on behalf of the Crown of the said lands and all improvements thereon without any compensation whatever being paid to such conditional licensee or lessee.

54. The Minister may from time to time make such supplemental rules regarding such matters as the nature of plans and specifications to be filed, the prescribing of forms to be used, the procedure to be followed in connection with various inquiries and matters arising under this part of the Act as may, in his opinion be desirable.

### SMALL WATER POWERS

55. In the case of applications for small water-powers the capacity of which in the opinion of the Governor in Council upon the report of the Government Engineer does not exceed under average usable flow con-

ditions one hundred horse-power and which are to be used for the direct driving of a water-wheel or other device connected with a saw mill or similar small mechanical establishment and not primarily for the development of electrical power, the Governor in Council may on the recommendation of the Minister make regulations in relation to applications and licenses and the rates of rental to be paid therefor: Provided, however, that the provisions of Section 28 (a), (b), (c), (d), (e), (i), (j), (k), (l), (o), (p), (q), (s), 31, 41 and 46 of this part of the Act shall not be dispensed with.

### PART V.

#### MINERAL LANDS.

Miners' permits.

56. (a) Any person or any Company incorporated under the laws of Newfoundland shall be entitled on payment of a fee of five dollars to have issued to him or it by the Minister a Miner's permit.

Permit holders may prospect for minerals.

- (b) It shall be lawful for any holder of a miner's permit (hereinafter called a permit holder) to search and prospect for minerals, natural gas, coal, oil or salt, in and upon (a) all Crown lands in this Colony, and (b) all lands the mines, minerals or mining rights whereof have been reserved by the Crown in any disposition of such lands, which are not at the time under staking as a mining claim which has not lapsed or been abandoned, cancelled or forfeited, and which have not been withdrawn or reserved by an Order in Council from prospecting or staking.

Manner of exploration by permit holders.

57. It shall be lawful for any permit-holder to explore such lands by all such means as may be necessary to prove the existence, value and extent of minerals therein or thereunder, whether by surface or subterranean prospecting or excavation; provided that such

search and prospecting shall be bona fide with a view to obtaining a mining location under the provisions of this Chapter, and that no person so searching or prospecting shall remove or take away from any of the said lands any greater quantity of ore or mineral than shall be necessary to be used as samples.

58. A permit-holder, for himself or on behalf of any <sup>Permit holder</sup> other permit-holder may stake out a mining claim on <sup>may stake</sup> any land open for searching and prospecting in the man- <sup>claims, etc.</sup> ner hereinafter provided and subject to the other provisions to this Act may work the same and transfer his interest therein to any person; but where the surface rights in the lands have been granted or leased by the Crown compensation must be made as provided in **Section 99** hereof.

59. No mining claim shall, except with the consent <sup>Certain lands</sup> of the Governor in Council and upon such terms as to <sup>not to be</sup> him may seem just, be staked out upon any lands:—(a) <sup>staked.</sup> belonging to the Newfoundland Railway, (b) reserved or set apart as a town site by the Crown, (c) granted to any person for and actually laid out as a town site, (d) in occupation and use by any Department of the Public Service for the purposes of such Department.

60. Notwithstanding that the mines or minerals <sup>Improved lands</sup> therein have been reserved to the Crown no person shall <sup>not to be pros-</sup> search or prospect for minerals upon any land used as a <sup>pected without</sup> <sup>permission.</sup> garden, orchard, nursery, plantation or pleasure ground or upon which crops which may be damaged by such prospecting are growing or in that part of any land upon which is situated any spring, reservoir, dam, or water works or any dwelling-house, out-house, manufactory, or other public or private building, or cemetery except with the consent of the owner or lessee of the surface rights or by order of the Governor in Council and upon such terms as to him may seem just.

Prospecting not to give any exclusive rights 61. No such search, prospecting, exploration or excavation shall be deemed to give any person an exclusive right to search, prospect, explore in or excavate any of the said lands unless and until the person searching shall have complied in all respects with the provisions of Section 64 hereof.

### *Reservations.*

Reservation of mineral areas by Governor in Council.

62. (1) The Governor in Council may, from time to time, reserve from the operation of this Act in any area, tract, mining location, or parcel of land within the Colony, or in the whole Colony, all minerals or any particular kind or class of minerals therein not held by any person under a subsisting license, lease or grant, and in respect of which at the time of such reservation no application for a license thereof under the provisions of this Act has been filed with the Minister, and may prescribe the terms upon which such mineral may be sold, leased or otherwise disposed of, and may from time to time rescind such reservation in whole or in part, and re-subject such minerals or any thereof to the operation of this Act.

(2) Public notice shall be given of such reservation in the *Newfoundland Gazette* and in at least two issues of a daily newspaper published in St. John's; and upon the rescinding of such reservation in whole or in part the Minister shall fix a day and hour from which the said rescission shall take effect, and give not less than thirty days notice thereof in the *Newfoundland Gazette* and at least two issues of one daily newspaper published in St. John's; on and from which day and hour staking shall again be valid, and not before.



The Governor in Council may direct that the mines and minerals in lands so reserved or in any part thereof may be worked by or on behalf of the Crown under and pursuant to regulations to be made by the Governor in Council.

63. (1) Every officer of the Crown and every assist-<sup>Staking out of</sup>ant of such officer who makes a discovery of <sup>minerals on</sup>valuable mineral upon any land open to <sup>behalf of the</sup>Crown, searching, prospecting and staking out as a mining claim shall stake out and record a parcel thereof of the size and form of a mining claim on behalf of the Crown.
- (2) No proceeding shall be necessary for such staking out except to plant posts and blaze lines as provided in respect to a mining claim but the officer or assistant shall note upon the No. 1 Post the words “staked out for the Crown” and within the time limited by this Act for recording the claims shall notify the Minister of the staking out giving the date of staking out and the description of the property.
- (3) The Minister upon receiving such notice shall enter the parcel of land in his records as staked out on behalf of the Crown, and shall mark it upon his map with the letter C and after such staking out the parcel shall not be open to staking out by any other person but shall be dealt with or disposed of as the Governor in Council shall deem fit.

*Staking.*

64. A mining claim shall be staked out by:— Manner of  
staking claims.
- (a) Planting or erecting a post at each of the four corners of the claim marking that at

the northeast corner No. 1, that at the southeast corner No. 2, that at the southwest corner No. 3, and that at the northwest corner No. 4, so that the numbers shall be on the side of the post facing towards the post next following it in the order named.

- (b) Writing or placing on No. 1 post the name of the permit-holder staking out the claim, the number of his permit, the date and hour of staking out, and, if the claim is staked out on behalf of another permit-holder, the name of such other permit-holder and the number of his permit.
- (c) Writing or placing on No. 2, No. 3 and No. 4 posts the name of the permit-holder staking out the claim, and if the claim is staked out on behalf of another permit-holder, also the name of such other permit-holder. And
- (d) Plainly blazing the trees on two sides only where there are standing trees and cutting the under-brush along the boundary lines of the claim, or where there are no standing trees, clearly indicating the outline of the claim by planting durable pickets not less than five feet in height thereon at intervals of not more than two chains (132 feet) or by erecting at such intervals monuments of earth or rock not less than two feet in diameter at the base and at least two feet high so that the lines may be distinctly seen.

- (e) A mining claim shall be laid out with boundary lines running north and south and east and west astronomically, and the measurements thereof shall be horizontal, and the boundaries shall extend downwards vertically on all sides. The claim shall be a square of 40 acres, being 20 chains (1,320) feet on each side.
- (f) An irregular portion of land lying between land not open to be staked out, or bordering on water, may be staked out with boundaries coterminous thereto, but the claim shall be made to conform as nearly as possible to the prescribed form and shall not exceed the prescribed area.
- (2) Where at a corner of the claim the nature or conformation of the ground renders the planting or erecting of a post impracticable, such corner may be indicated by planting or erecting at the nearest practicable point a witness post, which shall bear the same marking as that prescribed for the corner post at that corner together with the letters "W.P." and an indication of the direction and distance of the site of the true corner from the witness post.
- (3) Every post shall stand not less than four feet above the ground, and shall be squared or faced on four sides for at least one foot from the top, and each side shall measure at least four inches across where squared or faced, but a standing stump or tree may be used as a post if cut off and squared and faced to such

a height and size, and when the survey is made the centre of the tree or stump where it enters the ground shall be taken as the point to or from which the measurement shall be made.

- (4) The following diagrams are intended to illustrate the method of staking out a claim as mentioned in sub-section (1) and (2).

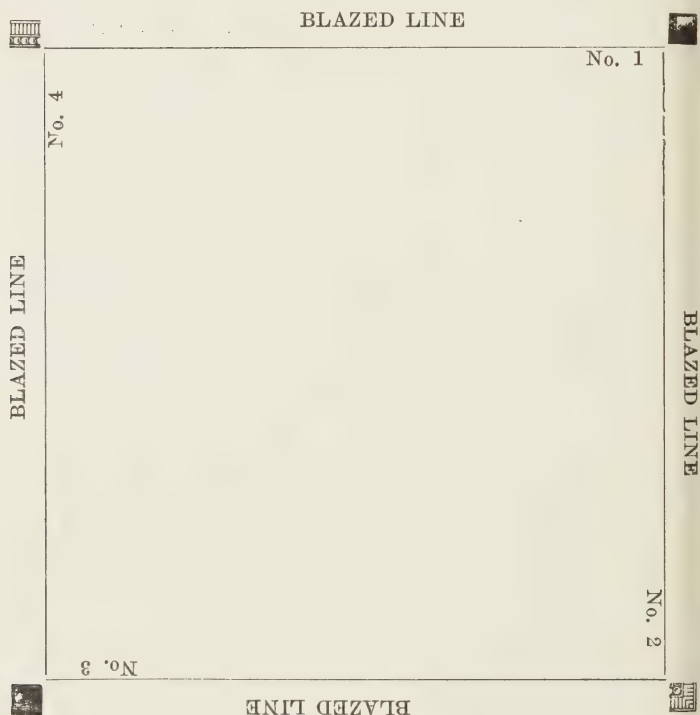


Diagram illustrating Sec. 64 (1).

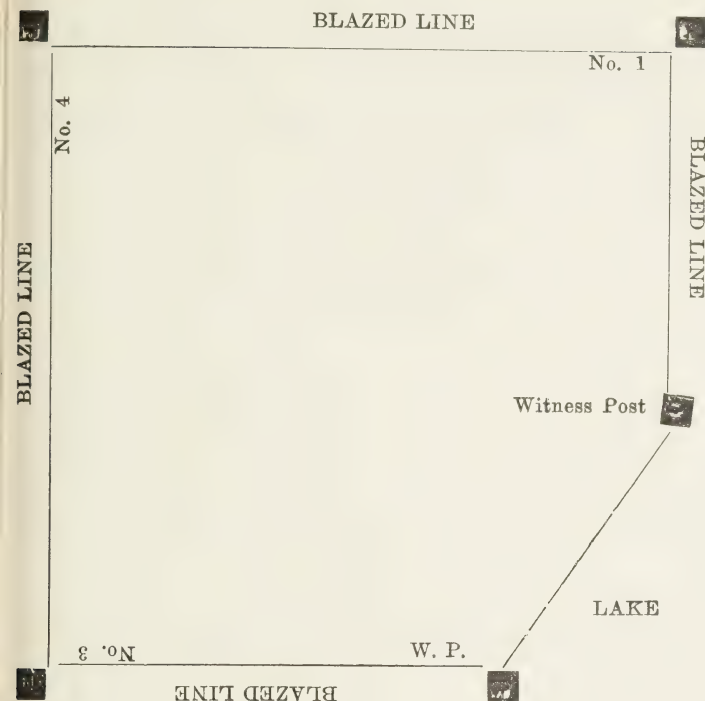


Diagram illustrating Sec. 64 (2).

65. (1) A permit-holder or other person who for irregular or any purpose does any staking out or plants, improper staking; removal, erects or places any stake, post, or marking etc., of stakes; upon any land open to prospecting except as penalty. authorized by this Act, or causes or procures the same to be done, or who stakes out or partially stakes out any such lands, or causes or procures the same to be done, and fail to record the staking out with the Minister within the prescribed time, shall not thereafter be entitled to again stake such lands or any part thereof, or to record a mining claim thereon, unless he notifies the Minister in writing of such previous staking out, partial staking out,

or planting, placing or marking and of his abandonment thereof and satisfies the Minister by affidavit that he acted in good faith and for no improper purpose and pays to the Minister a fee of \$20.00 and procures from him a certificate stating that the Minister is satisfied that he so acted.

(2) The Minister shall enter every such certificate in his books with the date of its issue.

(3) Any person who shall remove, destroy or deface any stake lawfully planted by any other person shall be subject on summary conviction to a penalty not exceeding one hundred dollars, and may further be ordered by the Magistrate to pay the cost of restoring or replacing such stake.

Substantial compliance with Act to be sufficient.

66. Substantial compliance as nearly as circumstances will reasonably permit with the requirements of this Act as to the staking out of mining claims shall be sufficient.

### *Application.*

Manner of application for claim which has been staked.

67. (1) A person who has staked out a mining claim or upon whose behalf a mining claim has been staked out shall within sixty days thereafter furnish to the Minister an outline sketch or plan of the mining claim showing the corner posts and the witness posts if any and their distance from each other in feet together with an application stating further the name of the person on whose behalf the application is made and in the case of unsurveyed territory the locality of the claim indicated by some general description including



at least two bearings or bearings and measurements to some prominent natural features in the vicinity, the length of the outlines, and for any reason they are not regular the nature of such reason, the day and hour when the claim was staked out and the date of the application and with the application shall be paid a fee of ten dollars for which he shall be given an official receipt.

- (2) The application and sketch or plan shall be accompanied by an affidavit made by the permit-holder stating the date of the staking out, that the distances given in the application or sketch and plan are as accurate as they could reasonably be ascertained and that all the other statements and particulars set forth and shown in the application and sketch or plan are true and correct, that at the time of staking out there was nothing upon the lands to indicate that they were not open to be staked out as a mining claim, and that the deponent verily believes they were so open and that the staking out is valid and should be recorded, and that there are upon the lands staked no buildings, clearing or improvements for farming or other purposes, except as set forth in the affidavit.
- (3) Where it appears that there has been an attempt made in good faith to comply with the provisions of this Act the inclusion of more or less than the prescribed area in a mining claim or the failure of the permit-holder to describe or set out in the application sketch or plan furnished to the Minister the actual area or parcel of land staked out shall not invalidate the claim.

Entry of  
application in  
records.

68. (1) The Minister shall forthwith enter in the proper book in his office particulars of every application to record a mining claim which he deems to be in accordance with the provisions of this Act, unless a prior application is already recorded and subsisting for the same, or for any substantial portion of the same lands or mining rights, and he shall file the application, sketch or plan and affidavit with the records of his office; and every application proper to be recorded shall be deemed to be recorded when it is received in the Minister's office, if all requirements for recording have been complied with, notwithstanding that the application may not have been immediately entered in the record book.
- (2) If an application is presented which the Minister deems to be not in accordance with this Act, or which is for lands or mining rights which or any substantial portion of which are included in a subsisting recorded claim, he shall not record the application, but shall, if desired by the applicant, upon receiving the prescribed fee, receive and file the application, and any questions involved may be adjudicated as provided in this Act; but such filing shall not be deemed a dispute of the recorded claim, nor shall it be noted or dealt with as such, unless a dispute verified by affidavit is filed with the Minister by the applicant or by another permit-holder on his behalf as in the next following section provided.

#### *Disputes.*

Disputes;  
manner of  
filing and  
receiving.

69. (1) A dispute in the prescribed form, verified by affidavit in the prescribed form, may be filed with the Minister by a permit-holder al

leging that any recorded claim is illegal or invalid in whole or in part, and if the disputant or the permit-holder in whose behalf he is acting claims to be entitled to be recorded for or to be entitled to any right or interest in the lands or mining rights, or in any part thereof comprised in the disputed claim the dispute shall so state, giving particulars; and the Minister shall, upon payment of the prescribed fee, receive and file such dispute, and shall enter a note thereof upon the record of the disputed claim.

- (2) A copy of the dispute and affidavit shall be left by the disputant with the Minister who shall not later than the next day after filing of the dispute transmit such a copy by registered post to the recorded holder or holders of the mining claim affected thereby. If the copy is not left, the Minister may refuse to file or note the dispute or may collect from the disputant ten cents per folio for making the copy.
- (3) A dispute shall not be received unless it contains or has endorsed thereon an address for service at some place not more than two miles distant from the Minister's office.
- (4) A dispute shall not be received or entered against any claim after a certificate of record thereof has been granted, nor except by leave of the Judge after the validity of the claim has been adjudicated upon by the Minister or by the Judge, or after it has been on record for sixty days.

*Certificate of Record.*

Issue of  
certificate or  
record.

70. (1) When a mining claim has been recorded for sixty days the Minister shall on application of the applicant give a certificate of record in the prescribed form, provided there is no dispute standing against the claim, and the surface rights compensation, if any, has been paid or secured, and unless by reason of an order, pending proceeding or other special matter or thing, it would be improper to give such a certificate.

(2) If a portion of a claim is unaffected by any matter or thing mentioned in sub-section 1, the Minister may, if he deems proper, give a certificate of record as to such portion.

Certificate of  
record to  
be conclusive.

71. The certificate of record in the absence of mistake or fraud shall be final and conclusive evidence of the performance of all the requirements of this Act, except working conditions, in respect to the mining claim up to the date of the certificate, and thereafter the mining claim shall not in the absence of mistake or fraud be liable to impeachment or forfeiture except as expressly provided by this Act.

Revocation  
where certi-  
cate issued in  
mistake or ob-  
tained by  
fraud.

72. Where the certificate of record has been issued in mistake or has been obtained by fraud the Judge shall have the power to revoke and cancel it on the application of the Crown or an officer of the Department or of any person interested.

Rights con-  
ferred by  
staking and  
recording.

73. The staking out or the filing of an application for, or the recording of a mining claim, or all or any of such acts, shall not confer upon a permit-holder any right, title, interest or claim in or to the mining claim, other than the right to proceed as in this Act provided to obtain a certificate of record and a grant in fee simple

from the Crown under the terms of this Act; and prior to the issue of a certificate of record the permit-holder shall be merely a licensee of the Crown, and after the issue of the certificate and until he obtains a grant in fee simple he shall be a tenant of the Crown in respect of the mining claim.

74. Where the recorded holder of a certificate of re-Abandonment of claims. cord of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, within six months after such abandonment, cancellation or forfeiture, or within such further time as may be fixed by the Judge. Any such machinery, property or ore remaining on the claim after the expiry of such time shall belong to His Majesty for the use of the Colony.

### *Transfers, Etc.*

75. Every application for a mining claim and every Applications, other application and every transfer or assignment of a transfers and mining claim or of any right or interest acquired under assignments; the provisions of this Act shall contain, or have endorsed procedure in thereon, the place of residence and Post Office address relation to. of the applicant, transferee or assignee, and also, when he is not a resident in Newfoundland, the name, residence and Post Office address of some person resident in Newfoundland upon whom service may be made.

- (2) No such application, transfer or assignment shall be filed or recorded unless it conforms with the provisions of the next preceding sub-section.
- (3) Another person resident in Newfoundland may be substituted as the person upon whom service may be made by filing in the office in which any

such application, transfer or assignment is filed or recorded, a memorandum setting forth the name, residence and Post Office address of such other person, and such substitution may be made from time to time as occasion may require.

- (4) Service upon the person named as the person upon whom service may be made, unless another person has been substituted for him under the provisions of sub-section 3, and in case of such substitution upon the person substituted shall have the same effect as service upon the person whom he represents.
- (5) The provisions of the next preceding sub-section shall apply to every notice, demand or proceeding in any way relating to a mining claim or to mining rights or to any other right or interest which may be acquired under the provisions of this part of the Act.

Trusts in  
relation to min-  
ing claims.

76. (1) Notice of a trust, express, implied or constructive, relating to any mining claim not granted in fee simple, shall not be entered on the record or be received by the Minister.
- (2) Describing the holder of the mining claim as a trustee, whether the beneficiary or object of the trust is mentioned or not, shall not impose upon any person dealing with such holder, the duty of making any enquiry as to his power to deal therewith, but the holder may deal with the claim as if such description had not been inserted.
  - (3) Nothing in this section shall relieve the holder of the mining claim who is in fact a trustee thereof or of any part or share thereof or interest therein, from liability as between himself and any other person, mining partnership or



company for whom he is a trustee, but such liability shall continue as if this section had not been enacted, nor shall any provision in this Act relieve the holder from any personal liability or obligation.

77. (1) No person shall be entitled to enforce any <sup>Certain rights</sup> claim, right or interest, contracted for or acquired <sup>must be evidenced by note or memorandum</sup> before the staking out, to or in under any <sup>in writing.</sup> staking out or recording of a mining claim or of

any mining lands or mining rights done in the name of another person unless the fact that such first-mentioned person is so entitled is made to appear by a writing signed by the holder of the claim or by the licensee by whom or in whose name the staking out or recording was done or the evidence of such first-mentioned person is corroborated by some other material evidence, and where a right or interest is so made to appear the provisions of the Statute of Frauds shall not apply.

- (2) No person shall be entitled to enforce any contract, made after the staking out, for sale or transfer of a mining claim or any mining lands or mining rights, or any interest in or concerning the same, unless the agreement or some note or memorandum thereof is in writing signed by the person against whom it is sought to enforce the contract or by his agent thereunto by him lawfully authorized.

78. A transfer of a mining claim not granted in fee <sup>Form of</sup> simple or of any interest therein may be in the form pre-<sup>transfer.</sup>scribed and shall be signed by the transferor or by his agent authorized by instrument in writing

79. Except as in this Act otherwise expressly provided, <sup>Instruments</sup> no transfer or assignment of or agreement or other instru-<sup>must be signed by holder or by</sup>ment affecting a mining claim or any recorded right or in-<sup>his agent</sup>terest acquired under the provisions of this Act, shall be <sup>appointed in</sup>entered on the record or received by the Minister unless the <sup>writing. Proof</sup>of instruments.

same purports to be signed by the recorded holder of the claim or right or interest affected or by his agent authorized by recorded instrument in writing, nor shall any such instrument be recorded without an affidavit in the form prescribed, attached to or endorsed thereon, made by a subscribing witness to the instrument.

*Recording of Instruments.*

Unrecorded instruments other than wills to be void, etc.

80. After a mining claim or any other right or interest acquired under the provisions of this Act has been recorded every instrument other than a will affecting the claim or any interest therein shall be void as against a subsequent purchaser or transferee for valuable consideration without the actual notice unless such instrument is recorded before the recording of the instrument under which the subsequent purchaser or transferee claims.

Recording to constitute notice to all persons.

81. The recording of an instrument under this Act shall constitute notice of the instrument to all persons as for the time of deposit for such recording, notwithstanding any defect in the proof for recording, but nevertheless it shall be the duty of the Minister not to record except upon the proof required by this Act.

Priority of recording to prevail.

82. Priority of recording shall prevail in the absence of fraud.

Judgments and orders affecting mining claims to be recorded; certificates of proceedings pending; execution upon mining claims.

83. (1) The Minister shall enter upon the record of any mining claim not granted in fee simple or other recorded right or interest a note of any order, judgment or decision affecting the same, giving its date and effect and the date of the entry; and he shall upon receiving with the prescribed fee, an order, judgment or decision of the judge, or an order, judgment or certificate in an appeal from him, or a certified or sworn copy thereof, file the same and enter a note thereof upon the record of the

claim or right or interest affected thereby. The Registrar of the Court shall immediately upon the making thereof transmit to the Minister copies of all orders, judgments or decisions of the Court or Judge.

- (2) In a proceeding calling question any interest in a mining claim not granted in fee simple or other recorded right or interest the Judge or Minister may issue a certificate that a proceeding is pending, and upon receipt thereof and payment of the prescribed fee the Minister shall file and note it as herein above directed.
- (3) The filing of a certificate shall be notice to all persons of the proceeding.
- (4) Any person interested may at any time apply to the Judge for an order vacating the certificate.
- (5) On receipt by the Minister of such order he shall forthwith transmit by registered post a copy of the same to every recorded holder of an interest in the mining claim.
- (6) A copy of a writ of execution certified by the sheriff of Newfoundland to be a true copy of a writ in his hands may be filed with the Minister, and the Minister, upon receiving the prescribed fee and being given the number or description of the claim, shall enter a note of such execution upon the record of each claim of which the execution debtor is the recorded holder, or in which he as a recorded interest, and from and after, but not before, such entry, the execution shall bind all the right or interest of the execution debtor in the

claim, and after such entry the sheriff shall have the power to sell and realize upon such right or interest in the same way as goods and chattels may be sold and realized upon under execution, and a transfer from the sheriff to the purchaser may, upon the latter becoming, if he is not before a permit-holder, be recorded in like manner and with the same effect as a transfer from the execution debtor.

- (7) Such certified copy of the writ of execution may be obtained from the sheriff on payment of a fee of \$1, which fee, together with the fees paid for recording same, shall be added to the execution debt.
- (8) After entry of such execution upon the record of the claim the sheriff, or the execution creditor may do anything which the execution debtor could do to keep the claim or interest in or restore it to good standing, and shall be entitled to add the necessary expense to the execution debt.
- (9) Such execution may be discharged by recording a certificate from the sheriff that it has been satisfied, or by recording a release from the execution creditor, or by obtaining and filing an order of the Judge directing its removal.

#### *Assessment Work.*

Assessment  
work.  
Computation of  
time for  
performance of  
assessment  
work.

84. (1) The recorded holder of a mining claim shall, within five years immediately following the recording thereof, perform or cause to be performed thereon work which shall consist of drilling, electrical or other geophysical prospecting, stripping or opening up mines, sinking shafts or other actual mining operations

to the extent of two hundred days' work of not less than eight hours per day, which work shall be performed as follows: At least thirty days' work within three months immediately following the recording of the claim, and not less than forty days in each of the remaining four years, provided that in any one of the said five years ten days additional work shall be done to make up the total of two hundred days.

- (2) The work may be completed in a less period of time than herein specified. If more work is performed by or on behalf of the recorded holder than is herein required during the first three months or in any subsequent year, the excess, upon proof of the same having been performed, shall be credited by the Minister upon the work required to be done during any subsequent year.
- (3) Boring by diamond drill shall count as work at the rate of two days' work for every foot of boring, and work by a drill operated by compressed air shall count as work at the rate per day of three days' work for each man necessarily employed upon each drill so operated. Electrical or other geophysical prospecting shall count as work at the actual cost or such lesser rate as may be fixed by the Minister, subject to appeal to the Governor in Council.
- (4) The recorded holder of a mining claim shall, not later than thirty days after each of the periods specified make a report in the prescribed form as to the work done or caused to be done, by him during such period, verified by affidavit in the prescribed form, but

a report shall not be required for any period in which, in consequence of the work having been previously done and reported no work has been done. The report shall show in detail the names and residences of the men who performed the work and the dates upon which each man worked in its performance.

- (5) The Minister, if satisfied that the prescribed work has been duly performed may grant a certificate in the prescribed form, but he may first, if he deems proper, inspect or order the inspection of the work, or otherwise investigate the question of its sufficiency and such certificate, in the absence of fraud or mistake, shall be final and conclusive evidence of the due performance of the work therein certified, but where it has been issued in mistake or obtained by fraud the Judge shall have power to revoke and cancel it upon the application of the Crown or an officer of the Department or any person interested.
- (6) The decision of the Judge as to the due performance of work shall be final.
- (7) A license holder may perform all the work required to be performed by him in respect of not more than six contiguous mining claims held by him on one or more of such claims and the report and affidavit to be filed by him in respect of such work shall certify the claim or claims on which the work was performed and the claims upon which it is to be applied.
- (8) The construction of house or roads or other like improvements shall not constitute work or expenditure within the meaning of this Section.



85. In computing the time within which work upon a mining claim is required to be performed, the following period of time shall be excluded:—

- (1) For the first instalment of work the time between the 16th of November and the 15th of May, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

86. (1) If by reason of pending proceedings or of the death or incapacity from illness of the holder of a mining claim the work is not performed within the prescribed time, the Minister may from time to time extend the time for the performance of such work for such period as he may deem reasonable and he shall forthwith enter a note of every such extension on the record of the claim.

- (2) Work performed within any such extended period shall be deemed to have been duly performed under Section 84.

87. (1) Where two or more persons are the holders of a mining claim upon which work is required to be done under this Act, each of them shall contribute proportionately to his interest, or as they may otherwise agree between themselves, to the work required to be done thereon or to a survey, or grant. In case of default by any holder the Judge, upon the application of any other holder and upon notice to and after hearing all persons interested or such of them as appear, may make an order vesting the interest of the defaulter in the other co-owners or in any of them upon such terms and conditions and in such proportions as he may deem just.

Protection of  
persons  
performing as-  
sessment work  
for holder.

88. Where the holder of any interest in a mining claim has made default in payment for work performed thereon by a person not the holder of an interest in the mining claim, the Judge, upon the application of such person and upon notice to and after hearing all persons interested, or such of them as appear, may make an order vesting the interest in the mining claim of the holder in default, or any part of such interest, in the applicant.

Money  
equivalent of  
assessment work  
unperformed.

89. Where any person has been unable for any reason to perform the whole or part of the work required to be done on a claim, he may pay to the Minister for the use of the Colony the equivalent of the work not done at the rate of \$3.00 per day's work, and such payment shall be deemed performance of the working conditions.

#### *Abandonment.*

Abandonment  
of claims.

90. (1) A permit-holder may, at any time, abandon a mining claim by giving notice in writing in the prescribed form to the Minister of his intention so to do.

(2) The Minister shall enter a note of such abandonment upon the record of the claim with the date of the receipt of the notice and shall forthwith post up in his office a notice of the abandonment, marked with the date of the posting up thereof, and thereupon all interest of the licensee in such claims shall cease and determine, and the claim shall, on and after, but not before the thirty-second day after such posting up, inclusive of the day of posting up, be open for prospecting and staking out.

Certain matters  
deemed to be  
abandonment.

91. Non-compliance by the permit-holder with any requirement of this Act as to the time or manner of the staking out and recording of a mining claim or with a

direction of a Minister in regard thereto, within the time limited therefor, shall be deemed to be an abandonment, and the claim shall, without any declaration, entry or act on the part of the Crown, or by any officer, unless otherwise ordered by the Judge be forthwith open to prospecting and staking out.

*Forfeiture.*

92. (1) Subject to the provisions of Section 93, all the <sup>Forfeiture of</sup> interest of the holder of a mining claim <sup>be-</sup>claim.

fore a fee simple grant thereof has been issued shall, upon the noting by the Minister of the entry hereinafter mentioned of cancellation, cease and the claim shall, after the expiration of the period of three months provided for revision by the Judge under Section 93, be open for prospecting and staking out,—

- (a) if the permit of the holder has expired and has not been renewed;
- (b) if, without the consent in writing of the Minister or Judge, or for any purpose of fraud or deception or other improper purpose, the holder removes or causes or procures to be removed any stake or post forming part of the staking out of such mining claim, or for any such purpose changes or effaces or causes to be changed or effaced any writing or marking upon any such stake or post;
- (c) if the prescribed work is not duly performed;
- (d) if any report under Sub-section 4 of Section 84 is not made and deposited with the Minister as therein required;

- (e) if the application and payment for the grant in fee simple required by Section 101 is not made within the prescribed time.
- (2) The Minister, upon any forfeiture or abandonment of or loss of rights in a mining claim, shall forthwith enter a note thereof, with the date of entry, upon the record of the claim and mark the record of the claim "Cancelled" and shall forthwith post up in his office a notice of cancellation and shall by registered letter mailed not later than the next day notify the holder of the claim of such cancellation and the reasons therefor.

Relief against forfeiture may be granted by Judge.

93. (1) Where forfeiture or loss of rights has occurred under Sections 91 and 92, the Judge within three months after the entry of or the record of cancellation by the Minister may, upon such terms as he may deem just, make an order relieving the person in default from such forfeiture or loss of rights, and upon compliance with the terms, if any, so imposed the interest or rights forfeited or loss shall revert in the person so relieved, but as a term of such order in the case mentioned in clause (a) of Sub-section 1 of Section 92, the holder of the claim shall obtain a special renewal license, which shall be so marked and which shall be issued only on payment of twice the prescribed license fee, and in the case mentioned in clause (d) of the said Sub-section the holder shall file a proper report and pay therewith a special fee of \$10.

Effect of expiration of permit of one of joint holders.

94. In the case of joint holders where the interest of a holder has ceased by reason of the expiration of his permit, such interest shall, if the Judge so directs, pass to and vest in the other holders in proportion to their interests in the claim.

*Relief in the Case of Death.*

95. Where a permit-holder in whose name a mining claim has been staked out, dies before the claim is recorded, or where the holder of a claim dies before issue of the grant for the claim, no other person shall, without leave of the Judge, be entitled to stake out or record a mining claim upon any part of the same lands or to acquire any right, privilege or interest in respect thereof within twelve months after the death of such permit-holder, or holder, and the Judge may at any time make such order as may seem just for vesting the claim in the representative of such holder, notwithstanding any lapse, abandonment, cancellation, forfeiture or loss of rights under any provision of this Act.

Relief in case of death of permit holder.

*Inspection.*

96. (1) The Minister may inspect or order an inspection of, and an inspector or other officer appointed by the Minister may inspect a mining claim at any time with or without notice to the holder for the purpose of ascertaining whether the provisions of this Act have been complied with, but after the granting of the certificate of record no such inspection shall, except by order of the Judge, be made for the purpose of ascertaining whether the claim has been staked out in the prescribed manner.
- (2) Unless notice of the inspection has been given to the holder of the claim at least seven clear days prior thereto, either personally or by registered letter addressed to him at his address appearing on record in the Minister's books he may apply to the Minister for a re-inspection and the same shall be granted if it appears that the holder of the claim has been prejudiced by the want of notice.

Inspection of claims by Minister.

- (3) The Minister may in any dispute or other proceeding before him make or order with or without notice a view or inspection of any mining claim or of the lands or other property.

Report of inspection.

97. A report for each inspection, except when made merely for the purpose of a dispute, appeal or other proceeding, shall be made in writing by the inspecting officer and shall be filed in the office of the Minister who shall forthwith enter upon the record of the claim a note stating the effect of the report and the date of the entry.

Copy of report to be available to interested party.

98. The holder of a mining claim or the disputant or other person interested shall be entitled on payment of the prescribed fee to receive from the Minister a certified copy of any report of inspection of the claim filed with him.

#### *Compensation for Surface Rights.*

Compensation for surface rights.

99. (1) Where the surface rights of land have been granted, sold or leased, with reservation of mines, minerals or mining rights to the Crown, or where land is occupied by a person who has made improvements thereon which in the opinion of the Minister entitle him to compensation, a permit-holder who prospects for minerals, or stakes out a mining claim or an area of land for a boring permit, or carries on mining operations upon such land shall compensate the owner, lessee, or occupant, for all injury or damage which is or may be caused to the surface rights by such prospecting, staking out of operations, and in default of agreement the amount and the manner and time of payment of compensation shall be determined by the Judge upon application to him after notice to the persons interested, and,



subject where the amount exceeds \$1,000 to appeal to the full court, his order shall be final and may be enforced in the same manner as a judgment of the Court.

- (2) The Judge may order the giving of security for payment of the compensation and may prohibit, pending the termination of the proceeding or until the compensation is paid or secured, further prospecting, staking out or working by such permit-holder or any other person claiming under him.
- (3) Where an order is made prohibiting the prospecting, staking out or working of a mining claim under the provisions of Sub-section 2, no other permit-holder shall have the right to prospect or stake out a mining claim to the prejudice of the prohibited permit-holder while the proceeding is pending.
- (4) The compensation shall be a special lien upon any mining claim or other right or interest acquired by the licensee or any person claiming under him in the land so prospected, staked out or worked, and no further prospecting, staking out or working, except by leave of the Judge, shall be done by the licensee or any person claiming under him after the time fixed for the payment or securing the compensation unless such compensation has been paid or secured as directed.

100. The Judge or the Minister may reduce the area of any mining claims staked out where surface rights have been granted, sold or leased if in his opinion an area less than the prescribed area is sufficient for working the mines and minerals therein.

Reduction of  
surface area  
staked out.

*Issue of Grant for Mining Claim.*

Issue of grant  
in fee simple.

101. (1) Upon compliance with the requirements of this Act, the holder of a mining claim shall be entitled to a grant in fee simple for the claim.
- (2) The application for a grant shall be made to the Minister within one month from the date before which all work on the mining claim is required to be performed.

Grants to  
import issue  
under this Act.

102. Every grant of Crown lands by which it is intended to vest in the grantee the mines and minerals therein or any part thereof or any rights in connection therewith, shall state that it is issued in pursuance of this Act.

Effect of fee  
simple grant.

103. Every grant of Crown lands which purports to be issued in pursuance of this part of this Act shall unless otherwise expressly stated vest in the grantee for the estate thereby granted all title of the Crown in such lands and all mines and minerals therein.

*Survey of Claim Before Issue of Grant.*

Survey of claim  
before issue  
of grant.

104. (1) Before a grant of a mining claim is issued the claim shall be surveyed by a surveyor approved by the Minister at the expense of the applicant, who shall furnish to the Minister with his application the surveyor's plan, field notes and a description showing survey in conformity with this Act and to the satisfaction of the Minister.
- (2) In surveying a mining claim the surveyor shall run the boundaries of the claim by running straight lines from No. 1 post at the northeast angle of the claim to No. 2 post at the southeast angle thereof, from No. 2 post

to No. 3 post at the southwest angle thereof, and from No. 3 post to No. 4 post at the northwest angle thereof, and from No. 4 post to No. 1 post; provided that where mining claims are shown as having a common boundary in whole or in part, the boundary of the prior subsisting claim shall govern.

- (3) The surveyor shall mark out the side lines on the ground by blazing the adjacent trees distinctly on three sides, one blaze on each side in the direction of the line and one on that side by which it passes.
- (4) He shall plant at each angle of the claim a metal post not less than three-quarters of an inch square or in diameter, with the recorded number and letter or letters, if any, of the claim permanently marked thereon, and at or near each metal post shall also plant a large wooden guide post marked with such number and letter or letters.
- (5) He shall in his discretion, where practicable, connect such survey with some known point in a previous survey or with some other known point or boundary so that the claims may be laid down on the office maps in the Department.
- (6) It shall be the duty of the surveyor before proceeding with the survey to examine the application and sketch or plan of the claim or certified copies thereof and before completing or filing his survey to ascertain by careful examination of the ground and by all other reasonable means in his power whether or not any other subsisting claim conflicts with the claim he is surveying, and no survey shall be ac-

cepted unless accompanied by the certificate signed by the surveyor in the following form:—

I hereby certify that I have carefully examined the ground included in mining claim No....., surveyed by me, and have otherwise made all investigations in my power to ascertain if there was any other subsisting claim conflicting therewith, and I certify that I have found no trace or indication and have no knowledge or information of any such claim except as follows: (if none so state; if any give particulars).

Report of  
survey.

105. The surveyor immediately after the completion of every survey of a mining claim made by him shall deliver or forward by registered post to the minister by his official title a certified copy of the plan and of his field notes and a description of the claim.

Correction of  
area if found  
incorrect on  
survey.

106. (1) If it is found upon a survey required or authorized by this Act that the area of a mining claim exceeds the prescribed acreage the Minister shall reduce the area to the prescribed acreage.

(2) The reduction shall, where practicable, be made as follows:—Keeping No. 1 post as the northeast corner and taking the straight line joining No. 1 and No. 2 posts, or if that line exceeds 20 chains in length the northerly 20 chains of it, as the eastern boundary; keeping the southern and western boundaries respectively parallel to or coinciding with the straight lines joining No. 2 and No. 3 and No. 4 posts, but shortening each of these boundaries to 20 chains where it exceeds that length, and in each case connecting the northwest corner so established with No. 1 post for the

northern boundary or in such other way as the Minister upon report of the surveyor shall direct.

- (3) Where a survey shows a small fraction or gore of land to exist between mining claims, the Governor in Council may sell such fraction or gore to the holder of one or other of the said claims, or may divide the same between them, or may otherwise dispose of the same as he may see fit without requiring such gore or fraction to be staked out as a mining claim. Provided that in the case of sale, such sale shall be conducted by auction or tender, the owners of all the abutting claims being given an equal opportunity to bid.

*Reservations for Geophysical Prospecting.*

107. If any person shall apply by petition to the Governor in Council alleging that he is desirous of having<sup>Reservations for geophysical</sup> prospecting an area reserved to him for the purpose of prospecting by electrical means or by what are commonly known as geophysical methods involving the use of electrical, gravitational, vibrational or other instrumental methods applied on or near the surface; as distinguished from the ordinary methods of drilling and excavation it shall be lawful for the Governor in Council to grant to such petitioner a Geophysical prospecting permit entitling such person to such area or areas as may be therein specified, upon which area therein specified he shall have prior right of staking; Provided as follows:—

- (a) Not more than twenty-five square miles in all shall be reserved to any one applicant.
- (b) Every applicant shall be required to make affidavit that he is not connected or interested directly or indirectly in or with any other applicant or holder of a permit.

- (c) No such permit or reservation of an area shall be transferable without the consent of the Governor in Council.
- (d) The applicant shall pay a license fee equal to the amount which would be chargeable for one year for the said area if taken out in the form of ordinary mining licenses.
- (e) The reservation shall be for a period of three years, and shall not be renewable.
- (f) The applicant shall be required within two months of the time of making the reservation to deposit with the Minister either cash or an approved surety bond or other security capable of being enforced in Newfoundland in the sum of Five Thousand Dollars for each square mile of the area reserved as a security that he will bona fide expend that sum in electrical or other geophysical prospecting on or over the area reserved within the period of the reservation or in drilling or excavation thereon.
- (g) In the case of a deposit of cash it shall be lawful for the Minister at the end of each year from the date of the reservation to repay to the applicant out of the said deposit such sum as the Auditor General shall certify to the Minister that he is satisfied the applicant has spent in and upon the area during the said year in the manner mentioned in the preceding sub-section.
- (h) It shall be lawful for the applicant at any time within the first year of the reservation to abandon by notice in writing to the Minister such areas, reckoned in units of one half square mile, as he may think fit; and there-



upon the Minister may return to the applicant a proportion of his cash deposit, if any, proportional to the area so abandoned. The reservation of such area so abandoned shall then cease as from a date whereof not less than thirty days public notice shall be given by the Minister in the same manner as provided under Section 62 of this Act.

- (i) Any balance remaining unexpended out of the cash deposit or the amount of the bond after repayments at the end of the third year as provided in sub-section (g) hereof shall stand forfeited to the Crown and shall be retained by the Minister or collected by him upon the bond as the case may be.
- (j) Upon the staking out of a mining claim upon such a reserved area the applicant shall proceed in the same manner as in and obtain the same rights in all respects as in the case of any other mining license.

*Petroleum, Gas, Coal and Salt.*

108. (1) A permit holder may obtain from the Gov-Boring for gas, erson in Council a boring permit in prescribed<sup>oil, coal or salt.</sup> form, granting him the exclusive right for a period of one year to prospect for petroleum, natural gas, coal, or salt upon any area of land open for prospecting and staking out, by
- (a) staking out, or having another permit holder stake out on his behalf and in his name, such area by planting or erecting a post at each corner thereof in the manner and with the numbering provided by Section 64, and writing or placing upon each post the words "Boring permit applied for," with his name and the letter of his permit, and where the

staking out is done by another permit-holder also the name of such permit-holder and the letter and number of his permit, the date of staking out and a statement of the area to be included in the application;

- (b) furnishing to the Minister an application in duplicate, verified by an affidavit, in the prescribed form, within thirty days after the staking out;
  - (c) forwarding to the Minister not more than ninety days thereafter a plan or diagram showing as nearly as possible the situation of the lands, and a written description of the same, together with a fee of \$100; and
  - (d) proving to the satisfaction of the Minister that he has paid or secured to the owner of the surface rights, if any, the compensation agreed upon or determined as provided in Section 99 for any injury or damage which is or may be caused to the surface rights, or, in default of agreement, that he has paid or secured such compensation, as determined in the manner provided by the said Section 99.
- (2) One duplicate of the application shall be forthwith posted up by the Minister in his office and the other placed on file.
  - (3) The area of land included in a boring permit shall be rectangular in form and shall not exceed six hundred and forty acres in extent,, the boundary lines thereof being due north and south and due east and west astronomically.
  - (4) The holder of a boring permit shall enter upon the area described therein within two months

from the granting of the permit, and during the term of the permit shall expend thereon in actual boring, sinking, driving or otherwise searching for petroleum, natural gas, coal or salt a sum amounting to not less than two dollars per acre.

(5) Upon proof being furnished to the Minister that such expenditure has been made and that all other terms and conditions of the permit have been complied with, the Minister, at the expiration of the boring permit, may grant one renewal of the same for one year upon payment of a fee of \$100, and the renewal shall be subject to the like conditions as to expenditure and otherwise as the original permit.

(6) The holder of a boring permit may, with the consent of the Governor in Council, endorsed thereon, transfer, in the prescribed form, all his rights in the permit or the land included therein, and upon the consent being given the permit-holder to whom the permit is transferred shall thereupon be entitled to the unexpired term of the permit, with any right of renewal thereof.

109. (1) Upon the holder of a boring permit providing to the satisfaction of the Governor in Council that he has discovered petroleum, natural gas, coal or salt, or any one or more of such substances in commercial quantities upon the land included therein, the Governor in Council may direct the issue by the Minister to the holders of the permit of a lease of the land or any portion of it for a term of ten years at an annual rental of \$5.00 per acre, payable in advance and subject to the expenditure of not less than \$2.00 per acre per annum.

in obtaining petroleum, natural gas, coal or salt, or any one or more of such substances therefrom, or in actual bona fide operations or works undertaken or made for the purpose of obtaining the same. The lessees shall have the right of renewal of such lease at the expiration of the first term of ten years for a further term of ten years at such rental as may then be agreed upon or provided by statute or regulations.

- (2) Every such lease shall contain such other conditions, stipulations and provisos as the Governor in Council may prescribe, and shall be forfeited and void if the rental payable thereunder is not paid when due, or upon failure to expend the money required by sub-section 1 to be laid out or upon failure to comply with any of the terms and conditions of the lease. Provided that relief from forfeiture for failure to pay rent when due may be had by the payment of all arrears within ninety days after the same became payable.
- (3) The right conferred by any such lease upon the lessee shall be to enter upon the land described, and to dig, bore, sink, drive or otherwise search for and obtain, raise and remove petroleum, natural gas, coal and salt, or any one or more of such substances. All other minerals shall be reserved to the Crown, and any holder of a miner's permit may at all times go upon the said land and prospect the same and stake out a mining claim thereon, but subject to compensating the lessee for any injury or damage to his interest in the land at the time and in the manner provided in section 99, and may obtain a grant in fee simple there-

for, but such grant shall reserve the petroleum, natural gas, coal and salt in, on or under such land.

- (4) No such lease shall issue until a plan in triplicate made by an approved land surveyor, field notes and descriptions shall be filed in the Department, showing a survey in conformity with this Act, and to the satisfaction of the Minister.
- (5) The holder of a boring permit or of a lease for petroleum, natural gas, coal or salt, shall not be entitled to the timber upon the lands included in such permit or lease but if the same are ungranted Crown lands may, with the permission of the Governor in Council, and upon payment of such rates as may be fixed, cut and use such timber or trees as may be necessary for boring and working the said land.

#### *Dredging Leases.*

110. (1) The Governor in Council may make regulations respecting the issue of leases authorizing<sup>Dredging</sup> leases. the holders thereof to dredge in any river, stream, or lake in, on or flowing through Crown lands, or the bed of which belongs to the Crown, for the purpose of recovering any valuable mineral therefrom, and every Order in Council made under this section shall take effect from the date of the first publication thereof in the *Newfoundland Gazette*.
- (2) Every such lease shall provide for the payment in advance of an annual rental of not less than \$20.00 per mile in length of any such river, stream or lake, and shall not be for a greater term than ten years, renewable at the expiration thereof for a further term of not more than ten years, and shall contain such provisions

as may be required by the Governor in Council for protecting all other public interests in such river, stream or lake, including the driving of logs and timber, and navigation.

*Crown Royalty.*

Royalty of the Crown on profits of minerals; Ascertainment of the same.

111. (a) The recorded holder or grantee of or under any mining claim or grant shall on the thirty-first day of December in each year during the continuance of the said claim or grant or within sixty days thereafter, pay to the Minister for the use of the Colony in respect of all minerals gotten in or from the property under the said claim or grant and sold by him during the year as and by way or royalty a sum equivalent to five per cent. of the net profits obtained by him from the sale of such minerals.
- (b) For the purpose of ascertaining the net profits in the preceding clause mentioned, there shall be deducted from the gross price which has been received by the said holder or grantee for the minerals sold during the year the following items:
- (1) The amount of all wages and salaries to workmen employed in or in connection with the said mining operations;
  - (2) A sum equivalent to ten per centum per annum of the actual cost of all buildings, shafts, engines, machinery, gear, tools, rails, wagons and other plant and effects of every description used in or in connection with the mines.
  - (3) The cost of insuring and keeping insured all buildings, shafts, engines, machinery, gear, tools, rails, wagons and other plant and effects aforesaid;



- (4) All taxes, rates, assessments and duties payable to the Government and any local authority;
- (5) All cost and expenses of every kind which may be incurred in operating or repairing the property, and all cost and expense of storage, freight, export duties, and harbor, dock and other dues paid by the said holder or grantee.

Any dispute arising under this section between the Minister and the said holder or grantee shall be determined by the Auditor General of the Colony, whose decision shall be final and binding upon both parties.

- (c) The said holder or grantee shall within six weeks after the expiration of each year of the said term, make return to the Minister, showing:—

- (1) The quantity of minerals sold by him during the year from the property under the said claim or grant;
- (2) The price actually received by him for the same;
- (3) The amount paid during the same year for wages and salaries;
- (4) All sums paid during the same year for insurance;
- (5) Taxes, rates, assessments and duties (if any) paid during the same year;
- (6) All costs and expenses of operating, repairing, storage, freight, charges, export duties, harbor, dock and other dues paid during the same year.

*Mining Partnerships.*

Mining partnerships; formation, rights and procedure.

112. (1) Two or more persons not exceeding nine, each being at least eighteen years of age, or one or more of such persons and a company may form a partnership herein called a "Mining Partnership" for the purpose of prospecting for minerals and acquiring mining claims or any other right or interest under the provisions of this Act, and the performance of working conditions and doing work on a mining claim or any other act or thing which may be lawfully done before the issue of a grant in fee simple for the claim, by signing personally or by attorney duly authorized in writing annexed thereto a certificate in the prescribed form setting forth,
- (a) the name, address and occupation of each of the partners;
  - (b) The partnership name;
  - (c) the number of shares in the partnership;
  - (d) the number of shares owned by each partner;
  - (e) the date of the commencement of the partnership and the date on which it is to terminate; and
  - (f) the name, address and occupation of some person residing in Newfoundland or of a company having its head office in Newfoundland authorized, and in writing annexed to or forming part of the certificate, consenting to act as agent of the partnership.
- (2) A mining partnership may be recorded by filing with the Minister a certificate in accordance with sub-section (1) and on payment of the prescribed fees,

- (3) After being recorded a mining partnership shall be entitled to a miner's permit.
- (4) A contract entered into in writing on behalf of a mining partnership by the recorded agent thereof shall be binding upon the partnership.
- (5) The member or members of a mining partnership owning a majority of the shares may revoke the appointment of the agent, in the prescribed form, but the revocation shall not take effect until a certificate, in the prescribed form, signed by such member or members substituting another qualified agent who, in writing annexed to or forming part of such certificate, consents to act as agent for the partnership has been filed in the office in which the partnership is recorded.
- (6) If the recorded agent of a mining partnership dies, the member or members owning a majority of the shares may, by signing a certificate, in the prescribed form, appoint another qualified agent who, in writing annexed to or forming part of the certificate, consents to act as agent for the partnership, but such appointment shall not take effect until recorded in the office in which the partnership is recorded.
- (7) A share in a mining partnership shall be deemed to be personal estate and may be transferred to any person, mining partnership or company authorized to hold shares in a mining partnership by the owner thereof or by his executors, or administrator or by the assignee for the benefit of the creditors of the owner or by a sheriff in due course of law by signing and filing with the Minister, a transfer thereof, in the prescribed form.

- (8) A person to whom a share is transferred or to whom it passes by operation of law or otherwise, upon filing in every office in which the partnership is recorded the instrument of transfer or will or Letters of Administration or other instrument under which the share passes or a certified or sworn copy thereof shall become a member of the partnership.
- (9) A mining partnership may be dissolved before the expiration of the time fixed by the certificate of partnership by filing in all the offices in which the partnership is recorded a certificate of dissolution, in the prescribed form, signed by all the members or their attorneys duly authorized in writing annexed to the certificate, but a mining partnership shall not be dissolved by the death of any member.
- (10) Unless the certificate of dissolution otherwise provides the dissolution of a mining partnership shall not constitute a revocation of the authority of the recorded agent of the partnership, but thereafter the agent instead of being the agent of the partnership shall be the agent of the individual members or their legal representatives, as the case may be, and may bind the interest of the individual partners or their legal representatives in selling, mortgaging or otherwise dealing with and transferring in the partnership name, the property of the partnership until the affairs of the partnership are finally wound up.
- (11) Nothing in this section shall relieve a recorded agent from liability for any breach of duty committed by him in wilfully disobeying the instructions given to him by the owners of a majority of the shares.

*Actions and Proceedings Concerning Mineral Lands.*

113. (a) No action concerning mining lands shall lie <sup>Actions and</sup> nor shall any other proceedings be tak-<sup>proceedings</sup> n in <sup>concerning min-</sup> Court as to any matter or thing arising under <sup>eral lands.</sup> this Act whether before or after issue of the fee simple grant or involving the interpretation of the provisions thereof or as to the rights acquired or alleged to have been acquired thereunder, or as to any other matter or thing involving any right or claim under this Act, unless such matter shall first have been brought before a Judge in Chambers on originating summons; and upon such summons it shall be lawful for the Judge either to direct an action to be taken, or to move the summons into Court, or to determine the matter summarily.
- (b) In the latter case the Judge may give directions for the conduct and carrying on in any respect of the proceedings before him, and in doing so he shall adopt the cheapest and most simple methods and machinery for determining the questions raised before him, and shall give his decision on the real merits and substantial justice of the case.
- (c) The Judge may order the evidence of any witness to be taken at any place and in such manner as he may deem fit.
- (d) The Judge, in addition to hearing the evidence adduced by the parties, may require and receive such other evidence as he may deem proper, and may appoint a person to make an inspection of the property, and may receive as evidence and act upon the report of the person so appointed, or may view and examine the property in question and give his decision upon such evidence or view and examination.

- (e) The Judge may make any order as to costs.
- (f) Application for leave to appeal from any judgment or order made hereunder shall be made within fourteen days. The Judge may refuse leave to appeal from his judgment or order, if he shall be of opinion that such appeal has not substantial merits and would be vexatious or oppressive to any poor party thereto; and no appeal may be taken without such leave; provided that a person desiring to appeal who has been refused leave by the Judge, may apply to the Court constituted of two or more judges for special leave to appeal.

## PART VI.

### TIMBER LANDS.

Licenses to cut timber; reservation of three miles on coast; reservation of tracts by Governor in Council.

114. (a) The Governor in Council may grant licenses to cut timber on any Crown lands under and in accordance with this Act, but not otherwise, and in no case covering lands within three miles of Tidal Water.
- (b) The Governor in Council may by order from time to time reserve any tract or tracts of timber land from application and sale under this part of the Act, and such order shall be published in the *Newfoundland Gazette*, and during the period of such reservation applications for licenses under this part of the Act shall not be receivable by the Minister.

Application to purchase license.

115. Any person desiring to purchase a license to cut timber upon Crown lands shall make application in writing to the Minister setting forth in general terms the area in which he desires to purchase timber.



116. Before an application for a timber license shall be considered the applicant shall deposit therewith in cash or <sup>Guarantee</sup> ~~deposit.~~ accepted cheque upon a responsible bank the sum of \$100 if the tract applied for contains an area of five square miles or under; \$250 if the area is more than five square miles and does not exceed ten square miles; and \$500 if the area is over ten square miles and up to twenty-five square miles.

117. Not more than twenty-five square miles shall be <sup>Maximum area</sup> ~~included in one application or in one license.~~ under a license.

118. The Minister shall thereupon cause the tract applied for to be laid off upon a map in the Department of <sup>Surveying and</sup> ~~Agriculture in such form and with such boundaries as may appear most convenient, and shall estimate the cost of surveying and cruising the said land, and the applicant shall deposit further with the Minister a sum sufficient to pay the cost of surveying, cruising and advertising the sale in the manner hereinafter set forth.~~ <sup>cruising; de-</sup> ~~posit of cost of.~~

119. The Minister shall then forthwith cause the tract <sup>Minister to</sup> ~~or area to be surveyed and cruised for the purpose of making an estimate of the nature and quantity of timber there-~~ <sup>cause lands to</sup> ~~be surveyed~~ <sup>and cruised.</sup> upon. Such survey and cruising shall be entrusted to a competent person or persons who besides fixing and ascertaining the boundaries shall make as exact an estimate as possible of the quantity of timber on the tract, ascertain its general condition, its accessibility, and any other matters that may be necessary to determine the value of the timber and to enable the Minister to fix an upset price, and shall furnish a report thereon under oath to the Minister.

120. When in the opinion of the Minister there are <sup>Survey need</sup> ~~natural boundaries confining the timber on the tract applied~~ <sup>not be ordered</sup> ~~for a survey of the boundaries need not be ordered.~~ <sup>when there are</sup> ~~boundaries.~~ <sup>natural</sup> ~~boundaries.~~

121. Upon receipt of the report hereinbefore mention- <sup>Upset price to</sup> ~~ed, together with such further evidence, if any, as the Min-~~ <sup>be fixed.</sup> ~~ister may think it desirable to obtain, the Minister shall sub-~~

ject to the prior approval of the Governor in Council fix an upset price at which the tract shall be disposed of, which will include the cost of survey and no tract shall be sold at less than the price so fixed.

Notice of sale  
by advertise-  
ment.

122. No license shall be disposed of until notice of the sale has been given for a period of not less than thirty days by not less than weekly insertions in the *Newfoundland Gazette* and in a daily newspaper published in St. John's.

Notices of sale  
by mail to  
persons on list.

123. There shall be kept in the Department of Agriculture a list of persons to whom notice of all sales of timber shall be sent by registered mail not later than the first issue of the advertisement referred to. Any person making application in writing and paying a fee of \$5.00 shall be entitled to have his name placed on the said list, and no names shall be removed therefrom until after the expiration of sixty days from the date of a notice to be given in writing to the person so named and sent by mail to his last known address, enquiring whether he desires to have his name retained on the said list.

Contents of  
notice of sale.

124. The notice of sale shall give a full description of the area or tract, the upset price and the place, day and hour at which such sale is to be held.

Sale to be by  
public auction.

125. The place of sale shall be open to the public, and the sale shall be by public auction conducted by such official of the Department as the Minister may nominate, and as a part of his official duties.

Sale to be to  
highest bidder.

126. The license to cut timber on the said tract shall be sold to the highest bidder who shall comply with all the conditions of this Act.

Payment of or  
security for  
purchase price;  
avoidance of  
sale on default;  
contract to be  
signed by  
purchaser.

127. If the purchaser should be the applicant who paid for the survey, cruising and advertising, the amount so paid together with his deposit shall be credited to him on the purchase price, but if he should not be the purchaser the same shall be returned to him forthwith in cash. If there

be no sale by reason of the upset price not being bid, the deposit shall be returned, but not the cost of survey, cruising and advertising.

- (a) Purchases to the amount of one thousand dollars or under shall be paid one-half in cash at time of sale and notes of equal amount shall be given for the balance maturing in three and six months thereafter.
- (b) Purchases over one thousand dollars and not exceeding five thousand dollars shall be paid one-third in cash at time of sale and notes shall be given for the balance in three equal instalments payable in three and six and nine months thereafter.
- (c) Purchases over five thousand dollars and not exceeding ten thousand dollars shall be paid one-quarter in cash at time of sale and notes shall be given for the balance in four equal instalments payable in three, six, nine and twelve months thereafter.
- (d) Purchases over ten thousand dollars shall be paid one-fifth in cash at the time of sale and notes shall be given for the balance in four equal instalments payable in three, six, nine and twelve months thereafter.
- (e) Purchasers may, if they so desire, pay the whole amount of the purchase money in cash or by accepted cheque at time of sale.
- (f) The rate of interest payable on notes given in payment of a timber license shall be six and one-half per cent. per annum to date of maturity and seven and one-half per cent. per annum thereafter. Notes given as herein provided shall be made payable at a Bank in the City of St. John's.

- (g) Payments made at time of sale, must be made in coin or bank notes or by accepted cheque on a chartered bank payable to the order of the Minister of Agriculture and Mines.
- (h) If default is made in any payment required by this Section the sale shall automatically and without suit or other proceedings stand forfeited and void, and payments theretofore made shall stand forfeited to the Crown.
- (i) If default is made in paying immediately after the sale the amount then required to be paid in cash, the Minister shall give three days' notice stating that such default has been made and that the area or tract will be re-auctioned on the fourth day after the original sale. At such auction the bidder in default shall not be permitted to bid or purchase. If default is made in payment of any of the notes when they come due the Minister shall immediately give thirty days notice as of an original sale stating that the purchaser has defaulted.
- (j) Persons to whom tracts are awarded at a sale shall sign a contract agreeing to carry out and complete the purchase on terms and conditions of sale, according to the form in the Schedule hereto.

Bond for part  
of purchase  
price not paid.

128. No license for any tract shall be issued until the full amount of the purchase price and the ground rent for the first year have been paid. Should, however the purchaser of a tract desire to commence operations before the notes given have been paid, the Minister may authorize him to do so on being furnished with a bond in his favour by an acceptable guarantee company for the prompt payment of every unpaid instalment of the purchase price or the tract together with interest accrued thereon.

129. Upon payment as aforesaid the Minister shall <sup>License to be</sup> issue to the purchaser a license to cut timber upon the said <sup>issued to pur-</sup> tract, subject to a ground rent of ten dollars per square <sup>chaser; ground</sup> mile per year, payable in advance.

130. The license shall vest in the licensee subject to <sup>Effect of</sup> the conditions mentioned in the license all right of property <sup>license.</sup> whatsoever in all trees, timber, lumber and other products of timber which he is entitled by the license to cut and which have been cut within the tract during the continuance thereof, whether such trees, timber, lumber or other products be cut by authority of the licensee or by any other person with or without his consent; and shall entitle the licensee to seize as his property timber of any kind cut upon the tract where the same is found in possession of any unauthorized person, and also bring action or proceedings against any person unlawfully in possession of any such timber, and all proceedings pending at the expiration of the license may be continued and completed as if the same had not expired.

131. All timber licenses shall expire on the thirtieth <sup>Expiry of</sup> day of November next after the date on which they are <sup>licenses.</sup> granted.

132. A license shall be renewable from year to year <sup>Removal of</sup> while there is on the tract timber in sufficient quantity to be <sup>licenses.</sup> commercially valuable, if the terms and conditions of the license and the provisions of this Act and the regulations affecting the same have been fulfilled: Provided that such renewal shall be subject to the payment of such rentals and dues and to such terms and conditions as are fixed by the regulations in force at the time renewal is made.

133. A license to cut timber may be assigned provided <sup>Assignment of</sup> all rents and other payments to the Crown have been made <sup>licenses.</sup> and all conditions have been complied with. Every such assignment shall be registered in the Registry of Deeds and a certified copy furnished to the Department of Agriculture for purposes of record.



Conditions in  
licenses.

134. Every timber license shall contain the following conditions:

- (a) Every person cutting timber on Crown lands shall take from every tree he cuts down all the timber fit for use and manufacture the same into sawn lumber or some other saleable product, and shall dispose of the tops and branches and other debris of lumbering operations in such a way as to prevent as far as possible the danger of fire, in accordance with the directions of the proper officers of the Department. If after written notice from an inspector his instructions as to the disposal of slash, tops, branches and other debris are not carried out within ten days from the date of such notice the inspector shall give such person a further notice requiring him to cease all lumbering operations in the locality in such further notice mentioned until the terms of the first mentioned notice have been carried out, and for every day or part thereof that such operations are continued after the delivery of the second notice and while the terms of the first notice are uncomplied with, such person shall be subject to a penalty of one hundred dollars to be recoverable in a summary manner at the suit of the inspector before a Stipendiary Magistrate. All such penalties shall be paid to the Minister of Agriculture and Mines for the use of the Colony.
- (b) Every such person shall prevent all unnecessary destruction of growing timber on the part of his men and exercise strict and constant supervision to prevent the origin and spread of fire, and shall also comply with all regulations made in that respect by the Governor in Council and with all laws and regulations in that respect in force.



- (c) That the licensee shall furnish to the Minister at such periods as may be required by the Minister by regulations under this Act, returns sworn to by him or his agent or employee cognizant of the facts, showing the quantities cut, manufactured, sold or disposed of, of all sawn lumber, timber or any other product of timber from the tract in whatever form the same may be.
- (d) That the licensee shall keep books and records in which shall be entered reports of all timber cut and the quality manufactured upon or removed from the tract, which books shall be entered up daily and shall be produced for the inspection of any officer of the Crown whenever required for the purpose of verifying his returns aforesaid.
- (e) The license shall also be subject to the right of the Crown to withdraw at any time from the said timber tract any portion or area of the lands comprising it which is required for water power purposes or as necessary in connection therewith. The Governor in Council may upon being satisfied that such portion or tract of the said land is necessary for the purposes of the said water-power, decide that such portion or tract should be withdrawn from the lands so licensed and thereupon the said portion or tract shall be so withdrawn; upon the condition, however, that the lessee or lessees of the said water-power, his or their executors, administrators or assigns, shall and will pay to the licensee of the tract his executors, administrators or assigns, the value of all timber of six inches and over in diameter at the stump on the portion of the area so withdrawn, the value of such timber, in case of dispute, to be fixed by arbitration, and the provisions of the Judicature Act in relation to arbitration shall apply thereto.

- (f) The license shall also be subject to the condition that the Government of Newfoundland or any person on behalf thereof with the written authority of the Minister may take from the ground covered by the said license standing timber of any kind without compensation therefor to be used in the making of such roads, bridges or public works including sleepers for railways as lie within the said tract but not elsewhere.
- (

Payments to Crown; interest on same when overdue; lien for same; enforcement of payment.

135. Any ground rent, royalty or other dues to the Crown on timber cut within any limit, which are not paid at the time when they become due and payable, shall bear interest at the rate of six per cent. per annum, until paid, and shall be a lien upon any timber cut within such limits; and whenever the ground rent on any limit or any royalty or other dues to the Crown on any timber are unpaid the Minister may seize so much of the timber cut on such limit and in possession of the licensee or on his premises, whether sold or unsold, as will, in his opinion, be sufficient to secure the payment of such rent, royalty or other dues, and all interest and expenses of seizure and sale, and may detain the same as security for payment thereof; and if such payment be not made within one month of such seizure, the Minister may sell such timber by public auction, and after deducting the sum due to the Crown the interest thereon and expenses aforesaid, he shall pay over the balance, if any, to the licensee or owner of the timber.

Use of slides, dams, piers and booms.

136. (1) No license or grant of any Crown land shall give or convey any right or title to any slide, dam, pier or boom or other work for the purpose of facilitating the descent of timber or saw logs, previously constructed on such land, or in any stream passing through or along such land, unless it is expressly mentioned in the license or grant that such slide, dam, pier or boom or other work is intended to be thereby granted.

- (2) The free use of slides, dams, piers, booms or other works on streams to facilitate the descent of lumber and saw logs, and the right of access thereto for the purpose of using the same and keeping them in repair, shall not in any way be interrupted or obstructed by or in virtue of any license or grant of Crown land made subsequent to the construction of such work.

137. The free use, for the floating of saw logs and other timber rafts, the descent of timber, and the right of access to such streams and lakes, and the passing and repassing on and along the land on either side thereof, whenever necessary for use thereof and over all existing and necessary portage roads past any rapids or falls, or connecting such streams or lakes and over such roads, other than road allowances, as owing to natural obstacles may be necessary for the taking of timber or saw logs from lands, and the right of constructing slides where necessary, shall continue uninterrupted and shall not be affected or obstructed by or in virtue of any license or grant of such lands, or by virtue of any license to cut timber held by one person as against any other person holding a license for the same purpose.

138. The owner, proprietor or manager of every pulp, paper or saw mill erected on or working near the margin of any of the public waters, bays, creeks or harbours of this Colony or its Dependencies, shall take means to prevent the introduction into the said public waters, bays, creeks or harbours as aforesaid, of any noxious or deleterious substance, or any sawdust, or any refuse of saw mills, under a penalty for every offence of one hundred dollars, to be recovered in a summary manner before any Stipendiary Magistrate.

139. All timber cut under the provisions of a license and upon which a royalty is payable under this Chapter,

Rights of  
floating timber  
and of passage  
preserved.

Pollution of  
public waters;  
penalty.

Scaling of  
timber.

or under any Act relating to Crown lands, shall be sealed by an authorized scaler before being manufactured. Any licensee who shall manufacture any timber upon which a royalty is payable without having the same first sealed by an authorized scaler shall be liable to a penalty not exceeding the value of the timber manufactured, to be recovered by action in the name of the Minister.

Authorization  
of scalers, etc.

140. The Minister may authorize such persons as he deems fit to act as scalers for the purpose of this Chapter and may make such regulations as he deems necessary for the reception of reports and returns of such persons and the verification of the same.

Prohibition of  
export of  
timber from  
ungranted  
lands: penalty.

141. No person shall cut, take or carry away from ungranted Crown lands any timber for exportation, either in logs or in lumber, under a penalty of twenty dollars for every tree or one hundred feet of lumber so cut, taken or carried away, in addition to the value of the tree or lumber, to be sued for in the name of the Minister of Agriculture and Mines, before any Stipendiary Magistrate; and in such suit it shall be incumbent upon the defendant to prove that such tree or lumber was not cut, taken or carried away in contravention of this Act; Provided that this section shall not prevent any person from taking away and exporting any alderwood upon payment of a royalty of thirty cents per cord of one hundred and twenty-eight cubic feet.

Prohibition of  
export of  
unmanufactured  
timber from  
any lands:  
penalty.

142. Notwithstanding anything in any Act contained, no holder of a timber or pulp license or of lands held in fee simple or under lease or demise from the Crown shall (save under and to the quantity provided by any special Act expressly permitting him so to do) take or carry away for exportation from any lands so licensed or held, any trees, logs or timber unless and until the same have been manufactured into paper pulp, sawn lumber or other saleable products of timber, under a penalty of not less than twenty dollars for every tree

cut, to be recovered by suit in the name of the Minister of Agriculture and Mines, and trees or timber cut into cordwood, pulpwood, pitprops or other lengths and whether barked or not shall be held not to be saleable products of timber for the purposes of this Section.

143. No person being the holder of any grant, lease or license of lands for timber or pulp purposes under an Act of Legislature, or under any contract with the government, as the assignee of such person, his servant or agents, contractors or sub-contractors, shall cut timber on any Crown lands other than those defined in the said grant, lease or license, or shall purchase, acquire or manufacture timber cut on such lands under a penalty of twenty dollars for every tree cut or log purchased, to be recovered by suit in a summary manner before a Stipendiary Magistrate or Justice by any person who may sue for the same, and half of such penalty shall go to the person who shall so sue. For the purposes of this Section timber slabbed on one or two sides shall be timber or logs.

Holder of timber lands not to cut or buy from Crown lands: penalty.

## PART VII.

### SAW MILLS

144. No person shall operate on any lands public or private in this Colony any saw mill save under a license in respect of such to be obtained as hereinafter provided.

Saw mills to be licensed.

145. (a) It shall be lawful for the Minister to grant licenses for the operation of saw mills, provided that in the case of the issue of a license for a new mill situate upon Crown lands notice of the application shall first be posted up in the nearest Post Office for one month before the issue of the license, which notice shall contain an intimation that any objection to the issue of such license should be sent at once to the Minister.

Issue, notice of, and period of licenses.



- (b) No such license shall be granted to any person being the holder of a license to cut timber or pulwood to operate any mill otherwise than on the lands licensed to him; and if so granted, whether inadvertently or otherwise, it shall be of no effect.
- (c) Every such license shall be for a period extending from the date of its issue to the then next 30th day of November, and shall be issuable on payment of a fee of five dollars, which shall be affixed thereon in stamps.

Conditions of  
licenses:  
penalties.

146. The following conditions shall form part of every license:—

- (a) That the licensee shall pay the Minister annually on or before the 30th day of November a royalty of fifty cents per thousand feet board measure on all lumber manufactured in the mill during the said period the material for which shall have been cut on Crown lands, and on all logs cut or purchased by him and sold without being manufactured in the said mill.
- (b) That no royalty shall be payable on lumber sawn or manufactured in the mill from timber cut on lands privately owned; provided that the licensee shall furnish evidence to the satisfaction of the Minister that such timber was obtained from lands other than Crown lands, which evidence shall include a sworn statement from the licensee or his mill manager or agent showing the quantity of timber in respect of which exemption is claimed and the lands from which it was obtained, confirmed by a sworn statement from the owner or owners of such lands; but the Min-



ister may require further evidence; and unless the Minister is satisfied as aforesaid the timber shall be deemed to have been cut on Crown lands and royalty shall be payable thereon accordingly.

- (c) That the licensee shall keep such books or records as may be prescribed by regulations, and shall make returns to the Department of Agriculture and Mines quarterly or at such periods as may be required by the Minister, sworn to by the licensee or his agent, showing the quantity cut and the quantity disposed of or sold of all products of timber produced at the said mill, classified under such heads as may be specified in the regulations in that behalf.
- (d) That the licensee shall prevent unnecessary destruction or wasteful cutting of growing timber and young trees and shall exercise strict and constant supervision to prevent the origin and spread of fires.
- (e) For any breach of sub-section (c) or (d) of this section the licensee shall be liable to a penalty not exceeding fifty dollars, to be recovered in a summary manner before a Stipendiary Magistrate by any person suing for the same.

147. A license to operate a saw mill on Crown lands shall not convey any exclusive right to cut over any particular land, but shall merely permit the licensee to cut logs upon an area of Crown lands to be therein defined for the purpose of having the same sawn or manufactured in the mill licensed, and such right to cut shall be in common with the public. Such license shall also convey the right to purchase logs so cut on any Crown lands by any

Effect of  
licenses.

person entitled so to cut. A license to operate a mill on land other than Crown land, shall not convey any right to cut logs on any Crown land or to purchase logs cut on Crown land. Logs slabbed on one or two sides shall nevertheless be deemed to be logs for the purposes of this section

Licenses convey no right to water power.

148. No license shall convey any right to water power.

Fees for licenses.

149. Application for a license shall be made to the Minister accompanied by a fee of five dollars. In addition to such fee a bonus of twenty-five dollars shall be paid upon the first issue of a license under this Act, for any Mill, except in the case of mills licensed and operating as at the passing of this Act, in respect of which all royalties and other payments have been duly made up to November 30th, 1929.

Refusal of licenses.

150. It shall be lawful for the Minister to refuse a license for a mill to be operated upon Crown lands in any locality if he shall upon the report of the Chief Inspector of Timber be of opinion that it is not in the public interest that a mill should be operated there.

Revocation of licenses.

151. It shall be lawful for the Minister at any time after the issue of a license to operate a mill upon Crown lands to revoke the same upon the application or petition of any persons who shall satisfy him, by any evidence, or in any manner, that the grant of such license, or the operation of such mill, is contrary to the public interest, provided always that sufficient time shall be allowed for the sawing of all timber heretofore cut by the licensee.

Receipt for royalties to be endorsed on license.

152. There shall be endorsed on every license a receipt from the Minister for all royalties, if any, due by the holder thereof under any license held by him for any previous year; and no such license shall be valid without such receipt endorsed thereon, or in the alternative,

a note stating that no license has therefore been issued to the holder or in respect of the mill licensed.

153. A licensee who has put in his returns and paid the royalties, if any, due upon the timber manufactured as shown in them and has applied for a license for the ensuing year, if such license be withheld or delayed by reason of any disagreement between the Minister and the licensee as to the correctness of the said returns and payment, may be granted a temporary license for not more than three months to allow of the settlement of such disagreement, during the term of which temporary license he shall not be liable to penalties for operating an unlicensed mill.

154.—Any person who shall saw or otherwise manufacture into lumber, or cause to be sawn or otherwise manufactured into lumber, in any unlicensed mill any timber shall be subject to a penalty of twenty dollars for every log so sawn or manufactured, to be recovered in a summary manner by any person who may sue for the same.

155. Without prejudice to any other lawful means of recovering the same any moneys due to the Crown in respect of any mill or the lumber manufactured therein shall be a lien or charge upon the mill in favor of the Crown in priority to any other mortgage or charge.

156.—Board measure shall be the measure of lumber in superficial square feet on the basis of board one inch thick. In estimating board measure the following equivalents shall be used:—

6,000 half drum staves shall equal 1,000 feet board measure.

4,500 drum staves shall equal 1,000 feet board measure.

2,000 herring barrel staves shall equal 1,000 feet board measure.

1,600 tierce staves shall equal 1,000 feet board measure.

1,400 fish cask staves shall equal 1,000 feet board measure.

7,000 laths shall equal 1,000 feet board measure.

10,000 shingles shall equal 1,000 feet board measure.

Heading to be estimated in feet, board measure.

10,000 tub staves (for tubs not larger than what are commonly known as thirty pound tubs) shall equal 1,000 feet board measure.

Prohibition of  
rinding of  
trees; penalty.

157. The Governor in Council may, when it shall be made to appear to him to be for the interest of the Colony, by Proclamation to be published in the *Newfoundland Gazette*, prohibit the rinding of growing or standing trees on the public lands of the Colony, or any portion of the same, or lands held under license, lease or grant, for the purpose of taking away the rinds of the said trees for any purpose whatever, subject to a penalty of twenty dollars in respect of every tree so rinded to be recovered in a summary manner by any person who shall sue for the same.

No title to tim-  
ber cut on  
Crown lands  
unless removed.

158. No person shall have the right of property in any timber cut on Crown lands otherwise than under the provisions of a license duly issued, unless he shall, within twelve months from the date of cutting, remove such timber to a place of safety under his control.

Reservation of  
areas from  
milling or  
cutting; notice;  
penalty.

159. (1) The Governor in Council may reserve by proclamation published in the *Newfoundland Gazette* such sections or areas of Crown land as may in the public interest be deemed expedient and may prohibit the cutting of timber on such lands for the purpose of sawing or otherwise manufacturing at a mill, or for such other purposes as may be defined in any proclamation; provided, however, that no such reservation

shall be made until four weeks' public notice has been given in and near the locality in which the land proposed to be reserved is situate.

- (c) The penalty for cutting timber on such lands shall be fixed and determined in such proclamation provided that it shall not be less than twice the value of such timber when sawn or manufactured; and may be recovered in a summary manner from the person cutting the same or causing the same to be cut or purchasing the same when cut.

160. The Minister, with the prior approval of the Gov-  
ernor in Council, may make regulations for the guidance of officials in carrying out their duties, and to provide forms for all purposes for which the same may be required under the Act.

### PART VIII.

#### MISCELLANEOUS PROVISIONS

161. Every person cutting timber on Crown lands shall take from every tree he cuts down all the timber fit for use and use the same or manufacture the same into sawn-lumber or some other saleable product, and shall dispose of the tops and branches and other debris of lumbering operations in such a way as to prevent as far as possible the danger of fire, in accordance with the directions of the proper officers of the Department. If after written notice from an Inspector his instructions as to the disposal of slash, tops, branches and other debris are not carried out within ten days from the date of such notice the Inspector shall give such person a further notice requiring him to cease all lumbering operations in the locality in such further notice mentioned until the terms of the first mentioned notice have been carried out, and for every day or part thereof that such operations are continued after the delivery of the second notice and while the terms of the first no-

Minister may  
make regula-  
tions.

Utilization of  
all timber cut;  
disposal of  
slash; precau-  
tions against  
fire; penalty.



tice are uncomplied with, such person shall be subject to a penalty of one hundred dollars to be recovered in a summary manner at the suit of the Inspector before a Stipendiary Magistrate. All such penalties shall be paid to the Minister of Agriculture and Mines for the use of the Colony.

- (a) Every such person shall prevent all unnecessary destruction of growing timber on the part of his men and exercise strict and constant supervision to prevent the origin and spread of fire, and shall also comply with all regulations made in that respect by the Governor in Council, and with all laws and regulations in that respect in force.

Rights of way, etc., for mining purposes; arbitration.

162. Whenever the holder of a mining lease or grant or the holder of a license to cut timber or the owner or lessee of a water-power, or any person or corporation engaged in mining, lumbering or the manufacture of lumber or pulp shall be desirous of acquiring rights of way or other rights or easements over private property for tramways, transmission lines, roads or sites for wharves or piers for the purpose of or purposes incidental to the carrying on of his industry or undertaking and shall be unable to make an agreement with the owner of such property for leave to enter thereon or for such rights of way or easements as shall be necessary as aforesaid and for the payment of compensation for any damage which may be occasioned to such property, it shall be lawful for the Governor in Council to permit such rights to be acquired, and the question of the necessity or expediency of the acquisition of such rights and of the amount of compensation if any, to be awarded in respect of such damage shall be determined by arbitration.

The arbitration shall be conducted as follows: The arbitrators shall be three, one person appointed by each of the contestant parties; the third arbitrator shall be the Minister of Agriculture and Mines, or some person appointed by writing under his hand, and the award of any two of the said arbitrators shall be final: Provided that either of



the said parties may appeal therefrom to the Supreme Court, upon due notice to the opposite party within one month from the publication of the award.

163. Nothing in this Act contained shall be construed to affect the rights of persons holding grants, leases or licenses issued before the passing of this Act. Such grants, leases and licenses and rights thereunder shall continue in full force and effect as if this Act had not been passed.

Titles heretofore issued not to be affected.

164. All mining locations heretofore laid off by the Minister as part of any mining section but which are not at any time after the passing of this Act held by any person under a valid license or lease are hereby declared to be Crown land for the purposes of this Act, and as such shall be subject in all respects to the provisions of this Act.

Cancellation of vacant mining locations.

165. Copies of any records, plans, books or papers belonging to or deposited in the Department of Agriculture and Mines, attested under the signature of the Minister of Agriculture and Mines, shall be competent evidence in all cases in which the original records, plans, books or papers would be in evidence.

Proof of records in Department of Agriculture and Mines.

166. No person employed in the Department of Agriculture and Mines or holding an office created by or continued under this Chapter, shall acquire or hold, either alone or with another, any grant, lease or license, under this Chapter.

Persons employed in Department not to receive grants, etc.

### *Breeding of Fish.*

167. The Governor in Council may, for the purpose of encouraging the breeding of fish in this Colony, lease to any applicant, for a term of years, after the applicant has given one month's notice in the *Newfoundland Gazette* and one other newspaper of his intention to apply for the same, the right to use any pond or river, and such quantity of land adjoining the same as may be necessary for such purposes, subject to such terms and conditions as may be deemed necessary.

Breeding of fish.

Cases where  
mining loca-  
tions may be  
applied for  
without  
staking.

168. Application for licenses of mining locations may be made without staking :

- (1) If the location or locations referred to in such application is or are covered by the sea or public tidal waters.
- (2) If the location or locations applied for is or are situate on an island off the coast of this Island or Labrador and the area of the location or locations applied for is equal to or greater than the area of the said Island.

Foreshore not  
to be obstruct-  
ed by holder of  
submarine  
mining location

169. A lease of a location under the water shall not entitle the holder thereof to construct any buildings or carry on any works so as to prevent the right of access by the proprietor of adjoining land from such land to and over such water.

Acquisition of  
rights for  
access to sub-  
marine mining  
location.

170. Whenever the holder of a lease or grant of a mining location which is covered by the sea or public tidal waters is desirous of acquiring, for the purpose of working same, on private land adjacent to or in the neighbourhood of such mining location, any rights for the opening of tunnels or shafts or for the erection of buildings or machinery, or for the purpose of building and maintaining wharves or piers, or for building tramways or tracks to connect such tunnels or shafts with such piers or wharves, or shall be desirous of obtaining the right of continuing said shafts and tunnels through any land or mining location, whether subterranean or submarine, and shall be unable to come to an agreement with the owner of such land or such mining location for the acquiring of such rights he may acquire the same, subject to the conditions hereinafter contained.

- (1) The holder of such lease or grant, who is in this section hereafter called the applicant, shall make application to the Governor in Council for permission to acquire such lands or other rights

hereinbefore mentioned. The application shall be in writing and shall contain a description of the areas held by the applicant, and the position of the same, the number and dimensions of the shafts, tunnels and other works, or for the protection thereof, the places from which such tunnels and shafts shall be driven or sunk, and the approximate course and direction thereof, and shall be accompanied by plans and profiles of the approximate location, courses and ares, and also state the general nature and extent of the rights, easements, privileges and powers which the applicant seeks to acquire or exercise or to have vested in him.

- (2) The Governor in Council shall have the power to require any such further information or details as may seem desirable in reference to such application from the applicant or from the person over whose areas rights are applied for, and may grant or refuse such permission. In the event of granting the same, the Governor in Council shall fix a time for the first sitting of the arbitration hereinafter mentioned to determine any matters of difference, and shall cause public notice of such permission being granted and of the time of the sitting of the arbitration to be published in the Royal Gazette.
- (3) The applicant shall, within thirty days after the publication of such notice, serve the persons whose lands or mineral locations are affected by such application with a copy of his application to the Governor in Council, and with notice of the deposit hereinafter mentioned.
- (4) The applicant shall, before serving the copy of his application as aforesaid, deposit with the Minister of Agriculture and Mines such a sum, to be fixed by the Governor in Council, as will

be sufficient to defray the expenses of the said arbitration.

- (5) The arbitration shall be conducted in accordance with the provisions of section 162 hereof.

Arbitration  
therefor.

171. In the award the arbitrators or the umpire shall determine:—

- (1) Whether the said lands, rights, privileges, easements or powers or any of them are necessary for the purposes of working the said mineral locations;
- (2) The conditions under which the same are acquired, as to the time of commencement and completion of each of the various works comprised in the application, and as to what distances from existing mines, buildings, works, ore bodies or mineral seams and their natural and necessary extensions, such works may be constructed, and in all cases providing that such ore bodies and mineral seams may not be entered, except that the right may be granted to the applicant to sink upon the land areas a vertical shaft through the ore seams and intervening strata, until the said shall reach the strata to be traversed.
- (3) The extent and nature of works to be provided and maintained by the applicant for the protection of the property and employees of the person whose lands or locations are affected;
- (4) The amount of compensation to be paid for such lands, rights, privileges, easements or powers;
- (5) The amount of a deposit to be made by the applicant as security for the payment of any

judgment recovered against him by the said person whose lands and locations are affected as aforesaid, in respect of damage sustained by reason of the carrying out of the works of the operations authorized by said award or by reason of the failure to comply with the conditions of the award, and in the event of abandonment such damages may include moneys paid as costs or expenses in connection with such arbitration.

Provided that nothing in this section shall in any wise affect any existing agreement or confer any right to vary or alter any such agreement.

172. So much of "The Judicature Act," as refers to <sup>Application of</sup> arbitration shall apply mutatis mutandis to <sup>Judicature Act</sup> arbitration <sup>and arbitra-</sup> under this Act. <sup>tions.</sup>

173. The deposit referred to in Sub-section 5 of Section <sup>Deposit under</sup> 171 shall be made with the Minister of Agriculture and <sup>Section 171</sup> Mines, and may be made in securities approved by him, and <sup>may be made</sup> in securities. the depositor shall be entitled to receive the interest payable thereon. Such deposit shall remain as security until the expiry of one year from the completion of all the works authorized by the said award.

174. It shall be lawful for the person whose lands or <sup>Inspection of</sup> locations are affected as aforesaid at all times during the <sup>works by</sup> progress of such work to enter upon and inspect all the <sup>person whose</sup> lands and works which are the subject of such award and <sup>lands are</sup> to report to the Government Engineer as to the state and <sup>affected.</sup> condition of the same.

#### *Correction of Deeds, Fees, etc.*

175. Whenever by reason of false survey or error <sup>Correction of</sup> any parcel of land contains less than the quantity of <sup>errors in fees.</sup> land mentioned in the grant, lease or license thereof, the Governor in Council may order to be repaid to the person who is the owner of said land at the time of a claim

under this section such part of the price or fee paid to the Crown for the said parcel of land as will bear to such price or fee the proportion that the quantity of land found to be deficient bears to the total quantity mentioned in the grant, lease or license, but no such claim shall be entertained unless it be made within two years of the date of the grant, nor unless the deficiency be equal to one-tenth of the quantity described as granted.

Correction of  
errors in case  
of inconsistent  
grants, etc.

176. In all cases in which grants, leases or licenses have been issued for the same land inconsistent with each other through error, and in all cases of sales or appropriations of the same land inconsistent with each other, the Governor in Council may in cases of sale cause a repayment of the purchase money, or when the land has passed from the original purchaser or has been improved before the discovery of the error or where the original grant, lease or license, was a free grant, he may in substitution, assign land, or grant a certificate entitling the party to purchase Crown lands of such value and to such an extent as to the Governor in Council may seem just and equitable under the circumstances; but no such claim shall be entertained unless it be preferred within one year from the discovery of the error.

Correction of  
clerical errors,  
etc.

177. Whenever a grant, lease or license, has been issued to or in the name of the wrong party, or contains any clerical error, misnomer, or wrong or defective description of the land thereby intended to be granted, or there is in such grant, lease or license, an omission of the conditions of the grant, lease or license, the Minister may, (there being no adverse claim) direct the defective grant, lease or license, to be cancelled and a correct one to be issued in its stead, which corrected grant, lease or license, shall relate back to the date of the one so cancelled, and be of the same effect as if issued at the date of such cancelled grant, lease or license.



178. When any grantee, lessee, or licensee, or other person, refuses or neglects to deliver up possession of any land after forfeiture of the same under the provisions of this Act, or whenever any person is wrongfully in possession of Crown land, or having lawfully entered into possession or occupation thereof, has in any way forfeited his right to such possession or occupancy, and refuses to vacate or abandon possession of the same, the Minister may apply to a Judge of the Supreme Court for, and such Judge upon proof to his satisfaction that such land was so forfeited and should properly revert to the Crown, or that such person is wrongfully in possession of Crown lands, shall grant an order upon the grantee, lessee, or licensee, or person or persons in possession, to deliver up the same to the Crown; and such order shall have the same force as a writ of *habere facias possessionem*, and the Sheriff shall execute the same in like manner as he would execute the said writ.

179. (a) For the purpose of any proceeding at law by way of trespass or ejection by any person holding or entitled to any mines, minerals, timber, bog, water power or quarry rights, under any grant, lease or license from the Crown (or as assignee of any grant, lease or license) such person shall be held to have an interest in the subject matter of such grant, lease or license.

(b) For the purposes of any proceeding under Sections 157 to 164 of the Judicature Act, the Minister shall be deemed to be a person having an interest in all lands or tenements in this Colony held under Crown grants, so as to enable him to present a petition under the said Section against the holder of any Crown grant which he may claim ought to be set aside or otherwise dealt with as provided in the said Section.

Fee on issue of documents: payment of fees.

180. No grant, lease or license shall issue but on the payment of the sum of not less than one dollar for the document of title, which sum shall be paid in stamps affixed to the document. All other fees, prices or rentals, shall be paid in cash.

Grant or lease not to issue until fees paid.

181. No grant or lease shall issue to any person, in respect of which any price or rental is payable under this Act, until such price or rental be paid in full, unless in this Act otherwise provided.

Governor in Council may make rules and regulations.

182. The Governor in Council shall prescribe rules and regulations as to the forms and modes of application for licenses, leases and grants, and generally for the purpose of carrying out this Act, and may, from time to time, repeal, amend or alter such rules and regulations, and the same shall come into operation after one month's previous publication in the *Newfoundland Gazette*, and two other newspapers in this Colony, and shall be as binding after such publication as if herein enacted.

Applications to be by petition: inspection of records.

183. All applications for leases, licenses or grants, shall be by petition to the Governor in Council.

Records of all applications and duplicates of all leases, licenses or grants shall be kept and recorded in the office of the Minister of Agriculture and Mines. All such records shall be open to the inspection of the public during the hours mentioned in Section 188, on payment of a fee of twenty cents for each search.

Annual report of Minister.

184. The Minister shall every year furnish to the Governor, for the purpose of being laid before the Legislature, a detailed return of licenses, leases and grants, of all mineral, agricultural, timber and other lands, and of all water rights, issued within the year ending the last of June then last past, of all money received for the

same, the names of the licensees, lessees and grantees, with the date of and expenses incurred in and about the same.

185. Any surveyor, when engaged in the perform-<sup>Surveyors to</sup>ance of his duties as such, may pass over, measure along<sup>have right of</sup> and ascertain the bearings of any section line or any<sup>passage.</sup> government line, and for such purposes may pass over the land of any person whomsoever, doing no actual damage to the property of such person.

186. Any person who shall interrupt, molest or<sup>Molesting of</sup> hinder a surveyor while in the discharge of his duties,<sup>surveyors or</sup> or shall knowingly or wilfully pull down, deface, alter,<sup>removal of</sup> or remove any mound, post or monument erected, plant-<sup>marks; penalty</sup>ed or placed in any survey under the provisions of this Chapter or under the authority of any Order in Council, shall, on conviction in a summary manner before a Stipendiary Magistrate, be liable to punishment to fine not exceeding twenty-five dollars or imprisonment for a period not exceeding three months, without prejudice to any civil remedy which any surveyor or any other party may have against the offender.

187. In any case where no other penalty is speci-<sup>Penalties where</sup>cally provided, any person committing an offence against<sup>not otherwise</sup> any of the provisions of this Act shall be liable to a pen-<sup>specifically pro-</sup>alty not exceeding fifty dollars, to be recovered<sup>vided.</sup> Governor in Council, which date shall not be earlier than summarily.

188. The hours during which any application, record<sup>Hours of</sup> or instrument shall be received at the Department of<sup>opening of</sup> Agriculture or the Department of Mines shall be from<sup>Department.</sup> 9.30 a.m. to 1 p.m. and from 2.30 p.m. to 5 p.m. on business days other than Saturday when the Department shall for this purpose be deemed closed at 4 p.m.

*Labrador Act.*

Labrador Act  
not to be  
affected.

189. Nothing in this Act contained shall be held to affect, alter or amend or repeal the provisions of the Act 18, Geo. V., Cap. 11, entitled "An Act to Govern the Granting of Lands and Rights in Labrador."

Suspending  
Section.

190. This Act shall come into force and effect upon a date to be fixed by Proclamation of His Excellency the the 30th day of November, 1930.

## SCHEDULE.

Schedule.

*Enactments Repealed.*

Year and Session	Short Title or Title.	Extent of Repeal
Consolidated Statutes (Third Series) Chapter 117.	Of Estates of Homestead.	The whole Chapter.
Consolidated Statutes (Third Series) Chapter 129.	Of Crown Lands, Timber, Mines and Minerals.	The whole Chapter.
Consolidated Statutes (Third Series) Chapter 133.	Of the Smelting of Copper Ores.	The whole Chapter.
Consolidated Statutes (Third Series) Chapter 134.	Of the Operation of Saw Mills.	The whole Chapter.
Consolidated Statutes (Third Series) Chapter 135.	Of the Export of Timber.	The whole Chapter.
8 Geo. V., Cap. 28.	An Act further to amend the Law relating to the Exportation of Timber.	The whole Act.
8 Geo. V., Cap. 29.	An Act to amend 5 Geo. V., Chapter XV., entitled "An Act to amend 4 Geo. V., Cap. 17, entitled "An Act respecting the Operation of Saw Mills."	The whole Act.
8 & 9 Geo. V., Cap. 15	An Act further to amend the Act 3 Edward VII., (1903), Chapter Six, entitled "An Act respecting Crown Lands, Timber, Mines and Minerals."	The whole Act.

Schedule  
(Continued)

Year and Session	Short Title or Title.	Extent of Repeal
8 & 9 Geo. V., Cap. 16	An Act further to amend the Act 4 George V., (1914), Chapter Seventeen, entitled "An Act respecting the Operation of Saw Mills."	The whole Act.
9 & 10 Geo. V., Cap. 26.	An Act respecting the Exportation of Timber.	The whole Act.
9 & 10 Geo. V., Cap. 27.	An Act to amend the Saw Mills Act, 1914.	The whole Act.
12 Geo. V., Cap. 23.	An Act to Amend the Crown Lands Act, 1918.	The whole Act.
12 Geo. V., Cap. 24.	An Act respecting the cutting and exportation of Timber for special purposes.	The whole Act.
12 Geo. V., Cap. 25.	An Act further respecting the cutting and exportation of Timber.	The whole Act.
12 Geo. V., Cap. 26.	An Act respecting the Exportation of Timber.	The whole Act.
18 Geo. V., Cap. 13.	An Act to amend Chapter 129 of the Consolidated Statutes, 1916, entitled "Of Crown Lands, Mines and Minerals."	The whole Act.
19 Geo. V., Cap. 5.	An Act to amend Chapter 129 of the Consolidated Statutes (3rd Series), entitled "Of Crown Lands, Timber, Mines and Minerals."	The whole Act.



## CAP. XVI.

*An Act to Amend Chapter 11 of the Consolidated Statutes  
(Third Series) Entitled "Of the Department of  
Marine and Fisheries."*

(Passed June 14, 1930)

SECTION 1—Repeal Sec. 10, Chap. 11, Consolidated Statutes

**BE** it Enacted by the Governor, the Legislative Council  
and House of Assembly, in Legislative Session convened,  
as follows:—

Section 10 of Chapter 11 of the Consolidated Statutes<sup>Repeal Sec. 10,</sup>  
(Third Series) is hereby repealed and the following sub-<sup>Chap. 11</sup>  
stituted therefor:—<sup>Con. Statutes.</sup>

10. (1) The Governor-in-Council on approval by the  
Fishery Board may from time to time make  
regulations for the better management, regula-  
tion and conservation of the sea and coast fisher-  
ies and the industries connected therewith, and  
in particular, without prejudice to the general-  
ity of the foregoing, regulations for the follow-  
ing:—

- (a) To regulate, restrict, control or prevent fish-  
ing, or the packing of fish either generally or  
except under license.
- (b) To prevent the wanton or unnecessary de-  
struction of fish.
- (c) To allocate or distribute berths or places for  
the setting of cod traps, salmon nets or other  
fishing gear and to appoint the distances  
apart at which gear of various kinds may be  
set.

- (d) To regulate the use of mufflers on motor engines.
  - (e) To standardize measures or quantities to be used in the purchase or sale of herring.
  - (f) To regulate the size of the mesh of nets.
  - (g) To regulate the class, nature, construction and material of packages and containers of all kinds to be used for pickled or canned fish.
  - (h) To regulate the weights and the manner of packing, branding, marking, stencilling and labelling of packages containing pickled or canned fish.
- (2) All or any of such Rules may be made to apply to the whole Colony or to any part or parts of the Colony and subject to any such restrictions or conditions as the Governor-in-Council may think fit.
  - (3) The Governor-in-Council may provide labels of any kind and direct when, how and to what the same shall be affixed, and what price, if any, shall be charged for the said labels.
  - (4) All Regulations made hereunder shall have the same force and effect as if herein enacted. and may fix such modes, times and places as are deemed by the Governor-in-Council adapted to the different localities and otherwise expedient.
  - (5) All regulations shall be published in the Newfoundland Gazette and after publication thereof shall take effect from the date therein fixed or if no date be fixed then from the date of such publication.

- (6) All regulations heretofore made if within the powers set forth in this Section shall be deemed to be and to have been since their making in full force and effect notwithstanding that they may have been ultra vires of the Chapter before the passing of this Amendment.
  - (7) Any offence against any Regulations made or in force under this Section may be stated as a violation of Chapter 11 of the Consolidated Statutes (Third Series).
  - (8) The words "fish," "fishing" and "fisheries" in this Section shall be held to have reference to crustaceans and shell-fish as well as to fish strictly so called.
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## CAP. XVII.

*An Act to Amend 179 of the Consolidated Statutes (Third Series) Entitled "Of Outport Pilots and Pilotage."*

(Passed June 14, 1930)

SECTION 1—Amendment Sec. 1, Chap. 179, Con. Statutes

**B***E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

Amendment  
Sec. 1,  
Chap. 179,  
Con. Statutes.

1. Section 1 of Chapter 179 of the Consolidated Statutes (Third Series) entitled "Of Outport Pilots and Pilotage" is hereby amended by striking out the words "not less than six months" and inserting instead thereof the words "not less than two months."

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## CAP. XVIII.

*An Act Respecting the Operation of Wireless Telegraphy.*

(Passed July 14, 1930).

Preamble.

SECTION 1.—Authority to make agreement.

WHEREAS the Agreement authorized by the Act 17Preamble. George V., Cap. 19, between the Government and the Marconi Wireless Telegraph Company, of Canada, Limited, for the conduct of wireless stations at Fogo and Labrador has since expired;

AND WHEREAS the operation of the said stations has since been continued informally upon the terms of the said expired Agreement;

AND WHEREAS it is desirable that the stations now operated by the said Company shall be continued in operation for the time being.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—

1. It shall be lawful for the Minister of Posts and Tele-<sup>Authority</sup>graphs to enter into an Agreement with the Marconi Wire-<sup>to make</sup>less Telegraph Company of Canada, Limited, for a period <sup>agreement.</sup> not exceeding two years upon terms similar to those in the said expired Agreement, together with an additional term providing that the said contract shall not prevent the operation under license from the Government of wireless telegraph or telephone stations not competing for business with those conducted by the Company at Fogo and places in Newfoundland Labrador, and with such other minor modifications as the Minister of Posts and Telegraphs may deem expedient.

## CAP. XIX.

*An Act Respecting Radio Telegraphy.*

(Passed July 14, 1930).

## SECTION—

- 1.—Short Title
- 2.—Interpretation.
- 3.—License necessary to establish station.
- 4.—Steamers to be equipped.
- 5.—Telegraph lines shall transmit messages.
- 6.—Operators shall be British subjects.
- 7.—Respecting fraudulent distress of signals.
- 8.—Warrant to search station not licensed.

## SECTION—

- 9.—Penalty for violation of Act.
- 10.—Powers of Governor-in-Council.
- 11.—Regulations to be made by Minister.
- 12.—Penalty for violation of Regulations.
- 13.—Regulations to be published in Gazette, &c.
- 14.—Power to assume possession of any station.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

Short title.

1. This Act may be cited as “The Radiotelegraph Act, 1930.”

Interpretation.

2. In this Act, unless the context otherwise requires:
  - (a) “Minister” means the Minister of Posts and Telegraphs.
  - (b) “Radiotelegraph” includes any wireless system for conveying or receiving, or both conveying and receiving electric signals or messages including Radio-telephones.
  - (c) “Coast Station” means any Radiotelegraph Station which is established on land or on board a ship permanently moored and which is used for the exchange of messages and electric signals with ships at sea.



(d) "Land Station" means any Radiotelegraph Station or installation of Radiotelegraphic Apparatus which is not a coast station or a ship station.

(e) "Ship Station" means any Radiotelegraph Station established on board a ship which is not permanently moored.

3. No person shall establish any Radiotelegraph Station or install or work any Radiotelegraph Apparatus in any place in Newfoundland or on board any ship registered in Newfoundland except under and in accordance with a license granted in that behalf by the Minister.

4. From and after the first day of July, nineteen hundred and thirty, no steamer whether registered in Newfoundland or not carrying fifty or more persons including passengers and crew, and going on any voyage which is or which includes a voyage of more than fifty nautical miles from one port or place to another port or place, shall leave or attempt to leave any Newfoundland port, unless such steamer is equipped with an efficient Radiotelegraph Apparatus, in good working order, capable of transmitting and receiving messages over a distance of at least one hundred nautical miles by night and by day, and in charge of a person fully qualified to take charge of and operate such Apparatus.

(2) The Owner, Master or other person in charge of any steamer which leaves or attempts to leave any Newfoundland port contrary to the provisions of this Section shall, on summary conviction be liable to a fine not exceeding one thousand dollars and costs, and such steamer may be detained by the convicting Magistrate until such fine and the costs are paid.

(3) This Section shall not apply to steamers calling at Newfoundland ports solely for the purpose of obtaining bunker coal or provisions for the use

of such steamer or through stress of weather or for repairs; nor to any coasting steamer registered in Newfoundland which may be specially exempted by the Governor-in-Council from the requirements of this section for extraordinary and/or emergency purposes.

Telegraph lines shall transmit messages.

5. All persons operating land or cable telegraph lines shall transmit all messages destined to or coming from ship stations via coast stations under such rules as may be made by the Minister of Posts and Telegraphs.

Operators shall be British subjects.

6. No one shall be employed as a Radiotelegraph Operator at any coast or land station unless he is a British subject, and holds a certificate of proficiency under this Act, and all Radiotelegraph Operators at shore or land stations, or on ship stations on board any vessel registered in Newfoundland shall take and subscribe a declaration of secrecy in the form set forth in the Schedule to this Act, before a Judge of any Court, a Notary Public, a Justice of the Peace or a Commissioner for taking affidavits, having authority or jurisdiction within the place where the oath is administered.

(2) Every person who having made the declaration of secrecy, either directly or indirectly divulges to any person, except when lawfully authorized or directed so to do, any information which he acquired by virtue of his employment shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding six months or to both.

(3) The Owner or user of a private receiving apparatus for broadcasts wireless telephony shall not be deemed an operator, nor his receiving apparatus a land station, except for the purposes of Sections 3, 8, 9, 10 (a), 11 (a), (c), (d), (e), and 12 hereof.

7. Any person who sends or transmits or causes to be sent or transmitted any false or fraudulent distress signal, message, call or radiogram of any kind, or who without lawful excuse interferes with or obstructs any radio communication, shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five hundred dollars and costs or to six months imprisonment or to both.

8. If a Stipendiary Magistrate is satisfied by information on oath that there is reasonable grounds for supposing that a Radiotelegraph Station has been established without a license in that behalf, or that any apparatus for Radiotelegraphy has been installed or worked in any place or on board any ship registered in Newfoundland within his jurisdiction without a license in that behalf, he may grant a search warrant to any police officer or any officer appointed in that behalf by the Minister and named in that warrant.

- (2) A warrant so granted shall authorize the Officer named therein to enter and inspect the station, place or ship, and to seize any Radiotelegraph Apparatus which appears to him to be there used or intended to be there used for Radiotelegraphy.

9. Everyone who establishes a Radiotelegraph Station or installs or works any Radiotelegraph Apparatus in violation of the provisions of this Act, or of any regulation made hereunder, shall be liable on summary conviction to a penalty not exceeding fifty dollars, and on conviction on indictment to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months, and the Magistrate may in his discretion forfeit to his Majesty any Radiotelegraph Apparatus installed or worked without a license.

- (2) No proceedings shall be taken against any person under this Section, except with the consent of the Minister.

Powers of  
Governor-in-  
Council.

10. The Governor-in-Council may:—

- (a) 1. Prescribe the tariff or fees to be paid for licenses and for examinations for certificate of proficiency held and issued under the provisions of this Act.
2. Authorize the payment of a portion of the license fees collected in respect of certain prescribed licenses to any Municipal Council, private Company or other prescribed party, and, notwithstanding anything to the contrary in any Act, to any department for services given in connection with the operation of broadcasting stations and for services performed for the Minister in connection with the licensing and inspection of stations.
- (b) Accede to any international convention in connection with Radiotelegraphy, and make such regulations as may be necessary to carry out and make effective the terms of such convention and prescribe penalties recoverable on summary conviction for the violation of such Regulations, provided that such penalties shall not exceed five hundred dollars and costs.
- (c) Make Regulations for the censorship and controlling of Radiotelegraph signals and messages in case of actual or apprehended war, rebellion, riot or other emergency.

Regulations to  
be made by  
Minister.

11. The Minister may make Regulations:—

- (a) Prescribing the form and manner in which applications for licenses under this Act are to be made.
- (b) Classifying ship, coast and land stations and prescribing the type and range of the regular

equipment and the emergency equipment to be installed in the several classes of stations.

- (c) Defining the different kinds of licenses that may be issued, their respective forms and the several periods for which they shall continue in force.
- (d) Prescribing the conditions and restrictions to which the several licenses shall respectively be subject.
- (e) Prescribing the different classes of certificate of proficiency and the class of certificate necessary to qualify persons as operators for the several classes of ship, coast and land stations.
- (f) For the examination of persons desiring to obtain certificates of proficiency as Radiotelegraph Operators and to determine the qualifications in respect of age, terms of service, skill, character, and otherwise required for such certificates.
- (g) Prescribing the watches to be kept by Operators and the number of Operators to be maintained and kept at the different classes of ship, coast and land stations.
- (h) For the inspection of Radiotelegraph Stations.
- (i) To provide, whether, and if so, how Radiotelegraph Apparatus installed upon any foreign or British ship (whether such British ship is registered in Newfoundland or elsewhere) shall be operated while such ship is within the territorial waters of Newfoundland.
- (j) To compel all Radiotelegraph Stations to receive, accept, exchange and transmit signals and messages with such other Radiotelegraph Stations and in such manner as he may prescribe.

- (k) For the effective carrying out of the provisions of this Act.

Penalty for violation of Regulations.

12. The Minister may, by Regulation authorize the imposition of a penalty not exceeding fifty dollars and costs or three months imprisonment for the violation of any Regulation made under this Section, and any such penalty may be recovered upon summary conviction.

Regulations to be published in Gazette, etc.

13. All Regulations made under the provisions of the two Sections immediately preceding shall be published in the Newfoundland Gazette, and shall be laid before both Houses of Legislature within ten days after the publication thereof if the Legislature is then sitting, and if the Legislature is not then sitting then within ten days after the next meeting thereof.

Power to assume possession of any station.

14. His Majesty may, at any time, assume and for any length of time retain possession of any Radiotelegraph Station and of all things necessary to the sufficient working thereof, and may for the same time require the exclusive service of the Operators and other persons employed in working the same, and the person owning or controlling the station shall give up possession thereof, and the Operators and other persons so employed, shall during the time of such possession diligently and faithfully obey such orders and transmit and receive such signals, calls and Radiotelegrams as they are required to transmit and receive by any duly authorized Officer of the Government of Newfoundland.

- (2) If the Minister and the person owning or controlling any Radiotelegraph Station taken possession of by the Crown under the provisions of this Section cannot agree as to the compensation to be paid by the Crown for such taking possession, the Minister shall refer the matter to the Supreme Court of Newfoundland for adjudication.



SCHEDULE

DECLARATION OF SECRECY.

I, A. B., solemnly and sincerely promise and declare that I will faithfully and honestly fulfil the duties which devolve upon me as Radiotelegraphic Operator, and that I will not, either directly or indirectly, divulge to any person, except when lawfully authorized, or directed so to do, any information which I acquire by virtue of my employment as such Operator or which may come to my knowledge through the Operator of any Radiotelegraph installation

Declared before me at.....  
this ..... day  
of ..... 19 .

.....

Signature of Declarant.

\_\_\_\_\_

## CAP. XX.

*An Act to Amend Chapter 34 of the Consolidated Statutes  
(Third Series), Entitled "Of the Postal and  
Telegraph Services."*

(Passed July 14, 1930).

## SECTION—

1.—Amendment of Sec. 17 of  
Cap. 35, Con. Statutes.

## SECTION—

2.—Amendment of Section 21.  
3.—Amendment of Section 42.

**BE** *it Enacted by the Governor, the Legislative Council  
and House of Assembly, in Legislative Session con-  
vened, as follows:—*

Amendment of      1 Section 17 of Chapter 35 of the Consolidated Stat-  
Sec. 17 of      utes (Third Series) entitled "Of the Postal and Telegraph  
Cap. 35      Services" is hereby amended by adding thereto as sub-sec-  
Con. Statutes.      tion (20) the following:—

- (20) (a) Make such regulations as he deems necessary for granting to any person or corporation by license the right to use for the purpose of stamping letters and other mail matter any approved automatic machine for printing or impressing a stamp similar to an adhesive postage stamp, and for the design and nature of the stamp or stamps so to be printed or impressed, the terms, conditions and periods of such licenses, the inspection of machines and all other matters connected therewith.
- (b) Every machine so licensed shall be so constructed that it will compute the number and value of the stamps printed or impressed thereby, and so that it is impossible to make an impression from the die without its being counted by the computing mechanism, and so that the computing mechanism can be seal-

ed by an official of the Post Office and cannot be altered or tampered with without the breaking of such seal.

- (c) Such regulations may provide penalties for the use of any such machine without a license or for the improper use of or tampering with any such machine or any seal thereon.

2. Section 21 of the said Chapter is hereby amended <sup>Amendment of</sup> by adding at the end thereof the words: "or by means of <sup>Section 21.</sup> printed or impressed stamps made upon the letters or mail by a machine licensed under section 17, sub-section (20) of this Chapter."

3. Section 42 of Chapter 35 is hereby amended by add- <sup>Amendment of</sup> ing as sub-section (3) thereof the following:— <sup>Section 42.</sup>

- (3) Any such contract may be for a term of not exceeding five years.
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## CAP, XXI.

*An Act in Relation to the Amendment to the War Pensions Act, 1922*

(Passed June 14, 1930)

SECTION 1—Amendment to Cap. 20, Act 12-13 Geo. V.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

Amendment  
Cap. 20,  
Act 12-13  
Geo. V.

1. Anything to the contrary in the Act 12-13 George V. Chapter 20 and the Acts in amendment thereof notwithstanding, the bonus payments set forth in the Schedules A and B to the said Act shall be paid to the thirtieth day of June, one thousand nine hundred and thirty-one.

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## CAP. XXII.

*An Act Respecting Certain Retiring Allowances*

(Passed July 14, 1930)

SECTION 1—Respecting certain annual allowances.

**BE** it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

The following annual allowances shall be paid to the following persons during their life-time, namely:

Respecting  
certain annual  
allowances.

Samuel Blandford, Collector of Customs.....	\$400.00
William Brick, Mail Courier, Hr. Main.....	246.30
William M. Mitchell, Sub-Collector of Customs..	190.80
Mrs. Elizabeth Butler, Postmistress Bauline....	25.00
Elias Anderson, Mail Courier.....	267.20
Mrs. H. J. Myrick, Operator and Postmistress, Cape Race .....	340.20
John Preston, Messenger, H. M. Customs.....	776.59
M. Maddigan, Boatman, H. M. Customs.....	292.50
Stephen Parsons, Locker, H. M. Customs.....	647.15
Geo. E. Moores, Statistical Clerk, H. M. Customs	792.00
John Lane, Lightkeeper.....	18.00
Alfred Rendell, Lightkeeper .....	724.50
W. J. Woodford, Superintendent Lighthouses...	1,200.00
Henry G. Batson, Postmaster.....	57.24
Michael Martin, Postmaster.....	123.39
Noah Peckford, Ferryman .....	164.00

Victor L. Billard, Travelling Mail Clerk.....	297.00
James McFatrige, Travelling Mail Clerk.....	297.00
Thomas Smyth, Clerk, G.P.O. ....	190.00
I. J. Evely, Clerk, North Sydney, Post Office..	1,050.00
William Bradbury, Lightkeeper.....	127.18
Hugh Mouland, Assistant Lightkeeper.....	200.00
Wm. Barnes, Carpenter .....	1,012.50
Miss F. Field, Matron. Insane Asylum.....	959.07
John Sartin, Lightkeeper.....	407.02
Lewis Winsor, Ferryman.....	48.60
Mrs. Elizabeth Ford, Postmistress, Upper Am- herst Cove .....	24.57
D. M. Hogan, Asst. Clerk, Board of Health.....	300.00
John Mooney, Lightkeeper .....	445.50
John F. Roche, Mail Courier, Branch.....	472.50
Joseph Hiscock, Attendant, Insane Asylum.....	814.00
Mrs. Jane Loder, Postmistress, Snook's Hr. ....	50.00
Thos. J. Best, Line Repairer, Come by Chance...	488.70
Mrs. Edward Cooper, Postmistress Ireland's Eye	42.00
Mrs. Henrietta Williams, Postmistress Pool's Cove .....	50.00
E. Pike, Lightkeeper .....	607.50
T. G. Morey, Postmaster, Ferryland.....	230.34
Norman Nicholas, Line Repairer.....	260.64
Flora Parsons, Nurse, Fever Hospital.....	423.18
C. W. Tilley, Telegraph Operator.....	587.25
R. Joyce, Road Accountant, Public Works.....	1,200.00



A. W. Ridgley, P.M., Little Bay West.....	100.00
Charles Read, Operator, Bonne Bay.....	810.00
Peter Holley, Line Repairer, Hr. Breton.....	325.80
John Coughlin, Mail Courier, St. John's.....	1,200.00
Mrs. Catherine McGrath, P.M., Cuslett.....	33.00
Mrs. C. Boland, Charwoman G.P.O. ....	195.00
Mrs. Margaret Lee, Charwoman G.P.O.....	111.00
Lawrence Power, Fireman, G.P.O.....	253.00
Mrs. B. Byrne, P.M., Brigus.....	59.00
Mrs. Lavina Hiscock, P.M., Gullies, Brigus.....	20.00

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\$19,956.22

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## CAP. XXIII.

*An Act Relating to the Payment of Certain Fees and Charges By Stamps*

(Passed July 14, 1930).

## SECTION

1.—Respecting Licenses to use stamp machine.

2.—Respecting construction of machine.

3.—Respecting design of stamps

## SECTION

4.—Substitute for adhesive stamps.

5.—Respecting discounts.

6.—Respecting powers of Governor in Council.

**B**E it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

Respecting  
Powers of Gov-  
ernor-in-  
Council.

1. It shall be lawful for the Minister of Finance and Customs to issue to any person or corporation or any Department or officer of the Public Service a license to use a machine of a type approved by the Minister for the purpose of stamping, printing or impressing upon any document a stamp similar to an ordinary adhesive revenue stamp such as is provided for under Chapter 24 of the Consolidated Statutes (Third Series).

Respecting  
Discounts.

2. Every machine for which a license is so granted shall be so constructed that it will compute the value of the stamps printed or impressed thereby, and so that the computing mechanism can be sealed by an official of the Department of Finance and cannot be altered or tampered with without the breaking of such seal.

Respecting  
Licenses to use  
stamp machine.

3. The Governor in Council may prescribe the design and nature of a stamp or stamps so to be printed or impressed and the terms, conditions and periods of licenses, and may make regulations for the inspection of machines and may by regulation provide penalties for the use of any

such machine without a license or for the improper use of or tampering with any such machine or the seal thereon.

4. Whenever under Chapters 24 and 28 of the Consolidated Statutes (Third Series) or any Act in amendment of either of them, or any other Act present or future relating to the affixing of stamps for revenue purposes other than postage stamps it is required that adhesive stamps shall be affixed an impression in the nature of a stamp made by means of a machine approved and licensed under this Act shall be deemed for all purposes equivalent to the affixing of an adhesive stamp of like value.

5. Discount allowable under Section 20 of Chapter 24 aforesaid as amended by the Act 15 George V., Chapter 11 shall be allowable in connection with the use of stamping machines.

6. The powers of the Governor in Council under Section 21 of Chapter 24 aforesaid shall extend, upon such terms and conditions as the Governor in Council may think fit, to the case of any person who in the use of any machine has inadvertently impressed stamps of greater value than are necessary and who shall satisfy the Minister as to the facts.

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## CAP. XXIV.

*An Act in Relation to the Amendment of the Act 20 Geo. V., Chapter 36, Entitled "The Income Tax Act, 1929."*

(Passed July 14, 1930).

## SECTION

1. Amendment.
- 2.—Amendment.
- 3.—Amendment.

## SECTION

- 4.—Certain rates subject to reduction of 25%.
- 5.—Amendment.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—*

Amendment.

1. Paragraph (k) of Sub-section (2) of Section 2 of the Income Tax Act 1929, is hereby amended by adding at the end thereof the following words: "Where a corporation or company incorporated either within or without this Colony holds shares in a corporation or company incorporated in this Colony which is liable to income tax, the dividends received by such first mentioned corporation or company from such second mentioned corporation or company which has already paid or is liable to income tax shall be exempt from income tax."

Amendment.

2. Paragraph (s) of Sub-section (2) of Section 2 of the said Act, dealing with personal holding corporations, is hereby amended by adding after the words "gains, profits, interest or other income" the words "dividends and interest payable to non-resident persons or corporations."

Amendment.

3. Paragraph (5) of Sub-section (1) of Section 4 of the said Act is hereby amended by adding at the end thereof the following words: "Provided that in the case of any person employed in Newfoundland for a period less than one hundred and eighty-three days, it shall be lawful for the Assessor to determine to what extent any exemptions or deductions set forth in this Act shall be applicable to the income received by reason of such employment and

whether any portion of the income so received shall be subject to super-tax, and if so to what extent.

4. In respect of incomes received from and after the first day of January, A.D. 1930, the rates of tax set forth in paragraphs (a) to (i) inclusive of Sub-section (1) of Section 4 of the said Act shall be subject to a reduction of twenty-five per cent. upon such rates.

5. Sub-section (1) of Section 8 of the said Act is here-  
by amended by adding after the words "during the last preceding year" the words: "Corporation returns made on the basis of a fiscal year of such corporation ending at some time other than the 31st day of December shall be delivered to the Minister before the end of the fourth month following the close of the fiscal year of such corporation."

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## CAP. XXV.

*An Act Further to Amend Chapter 22 of the Consolidated Statutes (Third Series) Entitled "Of the Customs."*

(Passed June 14, 1930)

## SECTION—

1.—Addition of sub-section (n) to Cap. 22 Sec. 1 of Consolidated Statutes.

2.—Repeal of Section 18: Substitution.

## SECTION—

3.—Repeal of Section 119: Substitution.

4.—Repeal of Section 210: Substitution.

5.—Repeal and substitution of new section 56.

**BE** it Enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

Addition of sub-sec. (n) to Cap 22 Sec. 1 of Consolidated Statutes.

1. Section I. of Chapter 22 of the Consolidated Statutes (Third Series) entitled "Of the Customs" is amended by the addition of the following sub-section:

(n) The expression "Territorial Waters of Newfoundland" means the waters forming part of the territory of the Colony of Newfoundland, and the waters adjacent to the Colony, within three nautical miles thereof in the case of any vessel not registered in Newfoundland, and within twelve nautical miles thereof in the case of any vessel registered in Newfoundland.

Repeal of Section 18: Substitution.

2. Section 18 is repealed and the following substituted therefor:—

18 (1) No goods shall be unladen from any vessel arriving at any port or place in this Colony from any place out of this Colony, or from any vessel having dutiable goods on board brought coastwise or otherwise until entry has been made of such goods and warrant granted for the unloading of same.



- (2) No person shall break bulk upon any vessel within the territorial waters of Newfoundland whether such vessel be upon a voyage from a foreign port to a port in this Colony, or from a foreign port to a foreign port, or from a foreign port to the high seas, or from a Newfoundland port to the high seas, or coastwise or otherwise until due entry is made or warrant granted as aforesaid.
- (3) No goods shall be unladen, unless for the purpose of lightening the vessel in crossing over or getting free from a shoal, rock, bar or sand bank, except between six o'clock a.m. and six o'clock p.m. and on some day not being a Sunday or Statutory holiday, and at some hour and place at which an Officer is appointed to attend the unloading of goods, or at some place for which a sufferance has been granted by the Collector or other proper Officer, for the unloading of such goods.
- (4) If after the arrival of any vessel within the territorial waters of Newfoundland, any alteration is made in the stowage of the cargo so as to facilitate the unlawful unloading of any part thereof, or if any part thereof is fraudulently staved, destroyed or thrown overboard, or any package is opened it shall be deemed a breaking of bulk.
- (5) All goods unladen contrary to this section shall be seized and forfeited, and if bulk is broken contrary to this Chapter the Master shall forfeit the sum of four hundred dollars and the vessel may be detained until the said sum is paid or satisfactory securities given for the payment thereof, and unless payment is made or security given within thirty days such vessel may at the expiration thereof be sold to pay the said sum.

Repeal of  
Section 119:  
Substitution.

3. Section 119 is repealed and the following substituted therefor:—

- 119 (1) If any vessel is hovering in territorial waters in Newfoundland, any Officer may go on board such vessel and examine her cargo and may also examine the master or person in command upon oath touching the cargo and voyage and may bring the vessel into port.
- (2) Any vessel in territorial waters of Newfoundland, shall come to a stop when required so to do in the King's name by any Officer or upon signal made by any Government vessel or cruiser by hoisting the pennant and ensign approved and appointed for the purpose by order of the Governor in Council.
- (3) No person on board any vessel required to come to a stop as herein provided shall throw overboard, stave or destroy any part of the cargo, or any papers or documents relating to the vessel or cargo.
- (4) The evidence of the Captain, Master, or other person in charge of any vessel or cruiser in the service of the Government of Newfoundland that the vessel was within territorial waters of Newfoundland shall be *prima facie* evidence of the fact.
- (5) If upon the examination by any Officer of the cargo of any vessel hovering in territorial waters of Newfoundland any dutiable goods or any goods the importation of which into Newfoundland is prohibited are found on board, such vessel with her apparel, rigging, tackle, furniture, stores and cargo shall be seized and forfeited and if the Master or person in charge refuse to comply with the lawful directions of such Officer or does not truly answer such questions as are put

to him respecting such vessel or her cargo or her voyage he shall be liable to a penalty of four hundred dollars.

- (6) If any person contravenes the provisions of sub-section three of this section, such vessel shall be seized and forfeited.

4. Section 210 is repealed and the following substituted therefor: Repeal of  
Section 210:  
Substitution.

210. Every person who is proved to have been on board any vessel or boat liable to forfeiture (a) for having been found within territorial waters of Newfoundland, such vessel or boat having on board or attached thereto, or conveying or having conveyed anything subjecting such vessel or boat to forfeiture, or (b) for breaking bulk contrary to the provisions of this Act, or who is proved to have been on board any vessel or boat from which any part of the cargo has been thrown overboard or destroyed, or in which any goods have unlawfully been brought into Newfoundland, shall incur a penalty of one hundred dollars if he has been knowingly concerned in any of such acts.

5. That part of Section 3 of the Act 17 George V., Chapter 32, entitled "An Act to Amend Chapter 22 Consolidated Statutes (Third Series), entitled 'Of The Customs' " which repeals Section 56 of the said Chapter 22 and substitutes a new section therefor is hereby repealed, and Section 6 of the Act 20 George V., Chapter 27, entitled "An Act Further to Amend Chapter 22 of the Consolidated Statutes (Third Series) entitled 'Of the Customs' " is also repealed and the following is substituted for both of the same to stand as Section 56 of Chapter 22 of the Consolidated Statutes aforesaid, and shall be deemed to have had effect as from the first day of June, A.D. 1929. Repeal and  
substitution of  
new section 56.

- 56 (1) Such domestic value shall be the current domestic value of such goods in the usual and ordin-

ary commercial acceptance of the term: Provided that a discount for cash shall in no case be allowed for duty purposes.

- (2) Whenever the current domestic value of goods cannot be otherwise ascertained, the cost of production of the said goods shall be held to be the value for duty, ascertained as follows:—
- (a) The sum of the cost of materials of and of fabrication, manipulation, or other process employed in manufacturing or producing such or similar merchandise, at a time preceding the date of exportation of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business; and
  - (b) The usual general expenses (not less than 10 per cent. of such cost) in the case of such or similar merchandise; and
  - (c) The cost of all containers and coverings of whatever nature, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for shipment to Newfoundland; and
  - (d) An addition for profit of an amount not less in any case than 8 per cent. of the sum of the amounts found under the above sub-clauses (a) and (b) of this sub-section (2) equal to the profit which ordinarily is added, in the case of merchandise of the same general character as the particular merchandise under consideration by manufacturers or producers in the country of manufacture or production who are engaged in the production or manufacture or merchandise of the same class or kind.

## CAP. XXVI.

*An Act Respecting A Tax On Goods Imported Into  
Newfoundland*

(Passed July 14, 1930)

## SECTION 1—Amendment

**BE** it Enacted by the Governor, the Legislative Council  
and House of Assembly in Legislative Session con-  
vened, as follows:—

1. Schedule A of the Act 15 George V. Chapter 33 En-Amendment  
titled “An Act respecting a Tax on goods imported into  
Newfoundland” is hereby amended by inserting between  
the words “all” and “materials” the words “coal and”  
and by adding after the words “Revenue Act” in the last  
line the words “and Gasoline.”

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## CAP. XXVII.

*An Act Further to Amend the Revenue Act, 1925, and the Amendments Thereto.*

(Passed July 14, 1930)

## SECTION 1. Amendment.

**BE** *it Enacted by the Governor, the Legislative Council and House of Assembly in Legislative Session convened, as follows:—*

## Amendment

The Act 15 George V. Cap. 34, entitled the "Revenue Act, 1925" and the amendments thereto are hereby further amended in manner following:

1. (a) The changes in the following items shall be held to have come into effect at and from the 28th day of January, 1930, at 9.30 a.m.  
Items 137, 151, 168, and 342.
- (b) All other changes made by this Bill shall be held to have come into effect at and from the 4th day of July 1930, at 9.30 a.m.

## SCHEDULE A.

Item 101—Strike out the words "and Gasolene."

Add "Gasolene, including duty on package, per gallon 5 cents."

Delete "casks of wood" in which kero or refined oil is imported—each 50 cents."

Item 137—Strike out "20 p.c." and substitute "14 p.c."



Item 151—Strike out “per lb.  $1\frac{1}{2}$  cents” and substitute “per lb.  $1\frac{1}{4}$  cents.”

Item 157—Strike out “20 p.c.” and substitute “14 p.c.”

Item 168—Add after “Tin in Sheets” the words “Copper in Ingots when imported by manufacturers for use in their manufactures.”

And add as a sub-item the following:

168 (a) “Aluminum in Blocks, Ingots, Bars and Slabs; Zinc or Spelter or Solder, when imported by manufacturers for the Manufacture of Hollow-ware and for galvanizing—free.”

Item 176—Delete in the third line the words “or machines.”

Item 181 (a) Strike out “Hay Loaders” and “Hay Waggon.”

Item 208—Add “all special machinery and mechanical apparatus when imported specially for galvanizing and for the manufacture of Hollow-ware, when the same cannot be manufactured within this Colony, both for the original installation and the further extension of the same, but not in substitution for old, subject to the rules and regulations to be made by the Governor-in-Council—free.”

Item 222—(a) Add after the words “Glass Cloth” the words “Mulch Paper.”

Item 306—(e) Strike out “Almanacs and” and add after the words “Cards of Metal,” the words “and advertising Almanacs.”

Item 342—Add the following “Wrappers when imported for the wrapping of paper, when it is exported by paper manufacturers, ad. val., 5 p.c.”

#### SCHEDULE B.

Item 351—Add under the head of “Goods”—“Steel Drums”; under the head of “When Subject to Drawback”—“When used by manufacturers in putting up Cod Liver Oil for Export, upon satisfactory evidence being produced to the Department of Customs of the exportation of same”; and under the head of “Portion of Duty” (not including special duty or dumping duty) payable as draw-back—“100% of the duty paid.”

Item 362—Under the head of “Goods”—“Gasolene”; under the head of “When Subject to Drawback”—when supplied to bona fide fishermen for use in their motor boats in the prosecution of the fisheries, and not for use on land; under the head of “Portion of Duty” (not including special duty or dumping duty) payable as drawback”—“A rebate of the duty paid shall be made to the Importer upon evidence of supply satisfactory to the Minister of Finance and Customs and a sworn certificate that the gasolene has been consumed in the prosecution of the fisheries.”

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## CAP. XXVIII.

*An Act for Granting to His Majesty certain Sums of Money for defraying certain Expenses of the Public Service for the Financial Years ending respectively the Thirtieth day of June One Thousand Nine Hundred and Thirty, and the Thirtieth day of June One Thousand Nine Hundred and Thirty-one, and for other purposes relating to the Public Service.*

(Passed July 14, 1930)

## SECTION—

- 1.—\$599,955,017 to be applied as set out in Schedule A.
- 2.—\$5,874,078.91 to be expended for purposes set out in Schedule B.

## SECTION—

- 3.—Respecting expenditures by Local Board or Councils.
- 4.—Respecting payments of moneys appropriated. Schedules.

MAY IT PLEASE YOUR MAJESTY:—

**W**HEREAS it appears that the Sums hereafter mentioned are required to defray certain expenses of the Public Service of Newfoundland not otherwise provided for, for the financial years ending respectively the thirtieth day of June One Thousand Nine Hundred and Thirty, and the thirtieth day of June One Thousand Nine Hundred and Thirty-one, and for other purposes connected with the Public Service.

MAY IT THEREFORE PLEASE YOUR MAJESTY:—

That it may be enacted by the Governor, the Legislative Council and the House of Assembly, in Legislative Session convened, as follows:—

1. From and out of the Consolidated Revenue Fund \$559,955,017 there shall and may be paid and applied a Sum not exceeding in the whole Five hundred and Ninety-seven thousand Nine hundred and Fifty-five dollars and Seventeen cents towards defraying the several charges and expenses of the Public Service of the Colony from the first day of July One thousand Nine hundred and Twenty-nine and the thirtieth day of June One thousand Nine hundred and Thirty-one, and for other purposes relating to the Public Service, as set out in Schedule A.

day of June One thousand Nine hundred and thirty not otherwise provided for and set forth in Schedule A to this Act and also for other purposes in said Schedule mentioned.

\$5,874,078.91  
to be expended  
for purposes  
set out in  
Schedule B.

2. From and out of the Consolidated Revenue Fund there shall and may be paid and applied a sum not exceeding in the whole Five million Eight hundred and Seventy-four thousand, Seventy-eight dollars and Ninety-one cents towards defraying the several charges and expenses of the Public Service of the Colony from the first day of July One thousand Nine hundred and thirty to the Thirtieth day of June One thousand Nine hundred and thirty-one, not otherwise provided for and set forth in Schedule B to this Act and also for other purposes in the said Schedule contained.

Respecting  
expenditures  
by Local  
Boards or  
Councils.

3. Notwithstanding anything in any law to the contrary it shall be lawful for the Governor-in-Council in the case of Districts or neighbourhoods having Local Boards or Councils to authorize the payments at any time after the thirtieth day of June One thousand Nine hundred and thirty to such Local Boards or Councils of all moneys voted in respect of such Districts or neighbourhoods for Public Charities, and Roads, Bridges and Ferries in Schedule B to this Act and all such moneys when paid to them as aforesaid may be expended by such Boards or Councils for such local needs and requirements as the said Board or Council may determine.

Respecting  
payment of  
moneys appro-  
priated.

4. The moneys hereinafter appropriated shall be paid by the Minister of Finance in discharge of such Warrants as may from time to time be drawn by the Governor for the purpose therein set forth.

SCHEDULE A.

Schedule A—

SUPPLEMENTARY SUPPLY, 1929-1930

Finance Department:

Legislation, twenty thousand dol-

lars .....\$20,000.00

Colonial Secretary's Department:

Government House Salaries,

twelve hundred and twenty-

nine dollars and fifty cents... 1,229.50

Public Health and Charities

Commission, five thousand dol-

lars ..... 5,000.00

Militia War Graves, five thou-

sand dollars ..... 5,000.00

Prime Minister's Contingencies,

twenty-five hundred dollars.. 2,500.00

General Contingencies, thirty-

five thousand dollars..... 35,000.00

Elections, twelve thousand four

hundred dollars ..... 12,400.00

61,129.50

Dept. of Public Charities:

Shipwrecked Crews, thirteen

thousand dollars ..... 13,000.00

Office Contingencies, one thou-

sand dollars ..... 1,000.00

Extraordinary Expenditure,

thirty-five hundred dollars... 3,500.00

17,500.00

Dept. of Public Health:

Salaries, thirty-six hundred and

ten dollars ..... 3,610.00

Hospital Grants, fifteen hundred

dollars ..... 1,500.00

Schedule A—  
(Continued)

District Surgeons, eleven hundred and twenty-five dollars and thirty-three cents.....	1,125.33
Hospital Sick Poor, thirty-three thousand and sixty-four dollars and ten cents.....	33,064.10
General Public Health, eighteen thousand nine hundred and six dollars and thirty-five cents	18,906.35
	<hr/>

58,205.78

#### Department of Justice:

Police Pensions, one hundred dollars .....	100.00
Fire Dept. Pensions, four hundred and fifty dollars.....	450.00
Constabulary Salaries, forty-eight hundred dollars.....	4,800.00
Constabulary Uniforms, six hundred dollars .....	600.00
	<hr/>

5,950.00

#### Education Department:

Teachers' Pension Fund, six thousand dollars .....	6,000.00
Augmentation, six thousand dollars .....	6,000.00
Council of Higher Education, four hundred and fifty dollars	450.00
	<hr/>

12,450.00

#### Marine and Fisheries' Dept.:

Salaries, forty-seven hundred and twenty-eight dollars .....	4,728.00
Contingencies, twenty-two hundred dollars .....	2,200.00
Fishery Service, three thousand dollars .....	3,000.00
Public Wharves, fifteen hundred dollars .....	1,500.00



Bounty on Ships Built, three thousand dollars .....	3,000.00	Schedule A— (Continued)
Dredging Account, five thousand dollars .....	5,000.00	
Travelling Expenses, fifteen hundred dollars .....	1,500.00	
West Coast Protection Service, fifteen thousand dollars.....	15,000.00	
Northern Labrador, eight thousand five hundred dollars....	8,500.00	
Marine Works, eight hundred and fifteen dollars.....	815.00	
Lighthouses Salaries, four thousand and sixty-six dollars and eighty-four cents .....	4,065.84	
Lighthouses Maintenance, five thousand two hundred dollars .....	5,200.00	
	<hr/>	54,509.84

**Agriculture and Mines Dept.:**

Forest Fires, forty-one thousand seven hundred and eight dollars and sixty-six cents.....	41,708.66	
Contingencies, four thousand and fifty-seven dollars and ninety-nine cents .....	4,057.99	
Agriculture, sixteen thousand, six hundred and seven dollars and ninety-five cents.....	16,607.95	
	<hr/>	62,374.60

**Public Works Dept.:**

Salaries, fourteen hundred and four dollars and seventeen cents .....	1,404.17	
Contingencies, twenty-four hundred dollars .....	2,400.00	
Repairs and Maintenance Public Buildings, Heating, Lighting and Plumbing plants, thirty-		

Schedule A— (Continued)	two thousand four hundred and fifty dollars.....	32,450.00
	Grand Bank Hospital, one thou- sand dollars .....	1,000.00
	Penitentiary Garage, five hun- dred dollars .....	500.00
	Automatic Coal Burner, Court House, eighteen hundred dol- lars .....	1,800.00
	Post Office Lark Harbour, four hundred dollars .....	400.00
	Post Office Ireland's Eye, two hundred dollars .....	200.00
	Salaries General Hospital, nine hundred dollars .....	900.00
	Bridge Long Harbor, Placentia East, two hundred and fifty dollars .....	250.00
	Ferry Service Codroy River, sev- enty dollars .....	70.00
	Motor Service, Lewisporte to Musgrave Harbor, three thou- sand dollars.....	3,000.00

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 44,374.17

#### Posts and Telegraphs Dept.:

Steam Subsidies, ninety-six thou- sand six hundred and forty- nine dollars and ninety-nine cents .....	96,649.99
Salaries for Mail Officers, six hundred and six dollars and one cent .....	606.01
Salaries for Telegraphs, three thousand one hundred and for- ty-nine dollars and fourteen cents .....	3,149.14
Salaries for Line Repairers, six- teen hundred and fifty-two dollars and fourteen cents....	1,652.14

Salaries for Postmasters, two hundred and thirty-three dollars and ninety-five cents. . . . .	233.95	
Salaries Head Office, thirty-five hundred and thirty-three dollars and thirty-one cents. . . . .	3,533.31	
Overtime, etc., twenty-three hundred and eighty-four dollars and fifty-eight cents. . . . .	2,384.	
Branch Line Repairs seven thousand five hundred dollars	7,500.00	
Main Line Repairs, seven thousand five hundred dollars	7,500.00	
Overtime, four thousand dollars	4,000.00	
Contingencies, eight thousand dollars . . . . .	8,000.00	
Fuel and Light, one thousand dollars . . . . .	1,000.00	
	<hr/>	136,209.12

**Customs Department:**

Refunds and Rebates, etc., one hundred and ten thousand dollars . . . . .	110,000.00	
Preventive Service, fifteen thousand dollars . . . . .	15,000.00	
	<hr/>	125,000.00

**Board of Pension Commissioners:**

Salaries, two hundred and fifty-two dollars and sixteen cents. . . . .	252.16	
	<hr/>	\$597,955.17
		<hr/>

ADDITIONAL ESTIMATES 1930-31

**Finance Department—**

**Auditor General:**

Deputy Auditor General, four hundred dollars . . . . .	400.00
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Schedule A—	1st Clerk, three hundred dollars	300.00	
(Continued)	2nd Clerk, three hundred dollars	300.00	
	3rd Clerk, three hundred dollars	300.00	
	4th Clerk, two hundred dollars..	200.00	
	5th Clerk, three hundred dollars	300.00	
	6th Clerk, two hundred dollars..	200.00	
	Travelling Auditor, one hundred dollars .....	100.00	
		<hr/>	2,100.00

#### Colonial Secretary's Dept.:

Economic Commission, five thousand dollars .....	5,000.00	
Compassionate allowance to War Veterans, seven thousand dollars .....	7,000.00	
	<hr/>	12,000.00

#### Customs Department:

Refund and Rebates, thirty thousand dollars .....	30,000.00	
2nd Clerk and Cashier, three hundred dollars .....	300.00	
Clerk to Examining Officer G.P.O., two hundred dollars..	200.00	
	<hr/>	30,500.00

#### Posts and Telegraphs:

Postmaster, King's Cove, two hundred dollars .....	200.00	
P.M. Northern Bight, fifty dollars .....	50.00	
Operator Deer Is., B.B., four hundred and eighty dollars..	480.00	
Operator Little Catalina, four hundred and twenty dollars..	420.00	
Line Repairer St. Bride's, four hundred and twenty dollars..	420.00	

Line	Repairer, Nipper's Hr.,		Schedule A--
	seven hundred and twenty-		(Continued)
	four dollars .....	724.00	
	Clerk, six hundred dollars.....	600.00	
	Clerk, nine hundred and sixty		
	dollars .....	960.00	
		<hr/>	

Public Works Department:

Caretaker Public Building, Cor-		
ner Brook, one hundred dollars	100.00	
Britannia, Burgoyne's Cove, one		
hundred and forty dollars....	140.00	
Clerk Supt. Public Works, one		
hundred and twenty dollars..	120.00	
	<hr/>	
		360.00
		<hr/>
		\$48,814.00
		<hr/>

## Schedule B—

## SCHEDULE B.

**Sums Granted to His Majesty by this Act for the Financial Year Ending June, 1931, and the Purposes for which they are granted.**

**HEAD I.—INTEREST ON PUBLIC DEBT**

**Interest on Public Debt, one  
hundred and twenty - five  
thousand dollars ..... \$ 125,000.00**

**HEAD II.—CIVIL GOVERNMENT****Department of Finance—Salaries:**

The Deputy Head, thirty-six hundred dollars .....	5,600.00
Chief Accountant of the Colony, three thousand dollars.....	3,000.00
Accountant of Inland Rev. Stamps, twenty-two hundred dollars .....	2,200.00
Accountant Old Age Pensions, eight hundred dollars.....	800.00
Secretary to Minister, twelve hundred dollars .....	1,200.00
Assistant Typist, five hundred dollars .....	500.00
	<hr/>
	11,300.00

**Contingencies:**

Printing and Stationery, twelve hundred dollars .....	1,200.00
Telegrams, three hundred dol- lars.....	300.00
Sundries, including telephone and typing, eight hundred dollars .....	800.00
	<hr/>
	2,300.00



**Board of Liquor Control:**

Schedule B—  
(Continued)

Chairman, five thousand dollars	5,000.00	
Commissioners (two), eight thousand dollars .....	8,000.00	
		<hr/>
		13,000.00

**Dept. of Comptroller and Auditor General:**

**Salaries:**

Deputy Auditor, twenty-eight hundred dollars .....	2,800.00	
First Clerk, twenty-two hundred dollars .....	2,200.00	
Second Clerk, two thousand dollars .....	2,000.00	
Third Clerk, seventeen hundred dollars .....	1,700.00	
Fourth Clerk, one thousand dollars .....	1,000.00	
Fifth Clerk, fifteen hundred dollars .....	1,500.00	
Clerk Stenographer, twelve hundred dollars .....	1,200.00	
Messenger, five hundred dollars .....	500.00	
Travelling Auditor, twenty-four hundred dollars ....	2,400.00	
Assistant to First Clerk, twelve hundred dollars .....	1,200.00	
		<hr/>
		16,500.00

**Departmental Contingencies—Auditor General:**

Printing and Stationery, three hundred dollars .....	300.00
Postage and Telegrams, fifty dollars .....	50.00
Sundries, including Telephone, one hundred and fifty dollars	150.00

Schedule B— **Expenses in connection with**  
(Continued) **Enquiries and Travelling Ex-**

penses, five hundred dollars..... 500.00

1,000.00

**Government Engineer's Office,**  
**Salaries:**

The Government Engineer, forty-six hundred dollars ..... 4,600.00

Chief Clerk and Asst. Engineer, twenty-two hundred dollars.. 2,200.00

Accountant, seventeen hundred dollars ..... 1,700.00

Clerk and Typist, seven hundred and twenty dollars .... 720.00

Masonry Superintendent, twenty-five hundred dollars 2,500.00

Inspector Rolling Stock, fifteen hundred and four dollars and seventy cents ..... 1,504.70

13,224.70

**Contingencies:**

Office Expenses, seven hundred dollars ..... 700.00

Travelling Expenses, twelve hundred dollars..... 1,200.00

1,900.00

**High Commissioner's Office (London):**

Salaries and Contingencies, ten thousand dollars ..... 10,000.00

10,000.00

**HEAD III.**

**Old Age Pensions:**

one hundred and sixty thousand dollars ..... 160,000.00

160,000.00

\$354,224.70

## HEAD V.—LEGISLATIVE COUNCIL

Schedule B—  
(Continued)**Legislative Council, Salaries:**

President, two hundred and fifty dollars .....	250.00	
Government Leader, two hundred and fifty dollars.....	250.00	
Twenty-Three Councillors at \$150 each, three thousand four hundred and fifty dollars....	3,450.00	
Clerk, seven hundred and fifty dollars .....	750.00	
Gentleman Usher of the Black Rod, four hundred dollars...	400.00	
Supervisor, three hundred dollars .....	300.00	
Two Reporters at \$210 each, four hundred and twenty dollars .....	420.00	
Messenger and Doorkeeper, one at \$100, and one at \$200, three hundred dollars.....	300.00	
Page, fifty dollars.....	50.00	
		<hr/>
		6,170.00

**Printing:**

Journals, including binding, eight hundred dollars .....	800.00	
Debates, sixteen hundred dollars	1,600.00	
Miscellaneous, three hundred dollars .....	300.00	
		<hr/>
		2,700.00

**Contingencies:**

Newspapers, including binding, seventy-five dollars .....	75.00	
Telegrams and Postage, ten dollars .....	10.00	

Schedule B— (Continued)	Tradesmen's Accounts, Fittings, etc., two hundred dollars . . . .	200.00
	Stationery, two hundred dollars	200.00
	Sundries, three hundred dollars	300.00
		<hr/>

785.00

## HEAD V.—LEGISLATION A.

## House of Assembly, Salaries:

Speaker, seven hundred and fifty dollars . . . . .	750.00
Chairman of Committees, four hundred dollars . . . . .	400.00
Forty Members, forty thousand dollars . . . . .	40,000.00
Asst. Clerk, seven hundred and fifty dollars . . . . .	750.00
Sergeant-at-Arms, four hundred dollars . . . . .	400.00
Supervisor of Debates, four hundred and fifty dollars . . . . .	450.00
Seven Reporters at \$210 each, fourteen hundred and seventy dollars . . . . .	1,470.00
Stenographer, one hundred and fifty dollars . . . . .	150.00
Eight Doorkeepers at \$100 each, eight hundred dollars . . . . .	800.00
Four Messengers at \$100 each, four hundred dollars . . . . .	400.00
Attendant, one hundred dollars	100.00
Two Pages, at \$50 each, one hundred dollars . . . . .	100.00
Opposition Doorkeeper, one hundred dollars . . . . .	100.00
	<hr/>

45,870.00

**Printing:**Schedule B—  
(Continued)

Journal, twenty-three hundred dollars .....	2,300.00	
Binding, five hundred dollars..	500.00	
Debates, six thousand eight hundred dollars .....	6,800.00	
Miscellaneous, fifteen hundred dollars .....	1,500.00	
	<hr/>	11,100.00

**Contingencies:**

Newspapers, one hundred dollars .....	100.00	
Telegrams and Postage, five hundred dollars .....	500.00	
Stationery, seven hundred and fifty dollars .....	750.00	
Tradesmen's Accounts, one thousand dollars .....	1,000.00	
Sundries, fifteen hundred dollars .....	1,500.00	
	<hr/>	3,850.00

**GENERAL.****Salaries:**

Clerk, House of Assembly, two thousand dollars .....	2,000.00	
Law Clerk, seven hundred and fifty dollars .....	750.00	
Engrossing, four hundred and fifty dollars .....	450.00	
Fireman, two hundred and sixty dollars .....	260.00	
Keeper of Building, six hundred and fifty-eight dollars and twelve cents .....	658.12	
	<hr/>	4,118.12

Schedule B— **Contingent Expenses:**

(Continued)

Printing, Binding and Gazetting Acts, three thousand five hundred dollars ....	3,500.00	
Attendance, Cleaning, Sundries, two hundred dollars .....	200.00	
		<hr/> 3,700.00
<b>Library:</b>		
Librarian, nine hundred and seventy-five dollars .....	975.00	
Printing and Stationery, twenty dollars .....	20.00	
Contingent Expenses, fifty dol- lars .....	50.00	
		<hr/> 1,045.00
		<hr/> \$79,338.12

## HEAD II.—CIVIL GOVERNMENT A.

## Dept. of the Colonial Secretary—

## Government House—Salaries:

The Governor's Private Secre- tary, fourteen hundred and fifty dollars .....	1,450.00	
The Governor's Orderly, \$845, and Orderly Chauffeur, \$840, sixteen hundred and eighty- five dollars .....	1,685.00	
Clerk, two thousand dollars ....	2,000.00	
Assistant Clerk and Typist, one thousand dollars .....	1,000.00	
Keeper Government House Grounds, nine hundred dollars	900.00	
Asst. Keeper Government House Grounds, nine hundred dollars	900.00	
		<hr/> 7,935.00



**Contingencies:**

Schedule B—  
(Continued)

Stationery, three hundred dollars	300.00	
Telegrams and Cables, five hundred dollars .....	500.00	
Sundries, including telephones, two hundred dollars .....	200.00	
	<hr/>	1,000.00

**Department of Prime Minister—**

**Salaries:**

The Secretary, three thousand dollars .....	3,000.00	
The Assistant Secretary, fifteen hundred dollars.....	1,500.00	
Typist, eight hundred and forty dollars .....	840.00	
Filing Clerk, seven hundred and twenty dollars .....	720.00	
Messenger, seven hundred and forty-four dollars .....	744.00	
	<hr/>	6,804.00

**Contingencies:**

Printing, Stationery, Telegrams, Telephones, Cablegrams, three thousand dollars .....	<hr/>	3,000.00
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**Dept. of the Colonial Secretary—**

**Salaries:**

The Deputy Head, thirty-six hundred dollars .....	3,600.00	
First Clerk and Assistant Deputy, three thousand dollars....	3,000.00	
Second Clerk and Accountant, twenty-two hundred dollars.....	2,200.00	
Third Clerk, thirteen hundred and fifty dollars .....	1,350.00	
Fourth Clerk, seven hundred and fifty dollars.....	750.00	

Schedule B—	Stenographer and Clerk, one	
(Continued)	thousand dollars .....	1,000.00
	Two Typists, sixteen hundred	
	and forty dollars.....	1,640.00
	Telephone and Office Assistant,	
	eight hundred and twenty	
	dollars .....	820.00
	Messenger, eight hundred and	
	sixty dollars .....	860.00
	Assistant Messenger, seven hun-	
	dred and forty-four dollars.....	744.00
	Attendant, two hundred and	
	fifty dollars .....	250.00
	Asst. Clerk to Council, five hun-	
	dred dollars .....	500.00

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16,714.00

#### Contingencies:

Printing, Gazetting and Station-	
ery, twenty-four hundred	
dollars .....	2,400.00
Telegrams and Cablegrams, two	
thousand five hundred dollars	2,500.00
Sundries, viz.: cab hire, cartage,	
Crown Agent's account, small	
freights, telephones, eight	
hundred dollars.....	800.00
Moving Picture Censors, one at	
\$312.50, one at \$375.00, six	
hundred and eighty-seven dol-	
lars and fifty cents.....	687.50

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6,387.50

#### Miscellaneous Permanent Contingencies:

Sheep Preservation Act, nine	
hundred and fifty dollars.....	950.00
Marine Disasters Fund, five	
thousand dollars .....	5,000.00

Schedule B—  
(Continued)

Contribution to Imperial Mineral Bureau Annual, fifteen hundred dollars .....	1,500.00	
Royal Colonial Institute Annual Subscription, five hundred and fifty dollars.....	550.00	
Press Despatches, three hundred dollars .....	300.00	
Newfoundland Govt. Agent, Sydney, three hundred dollars .....	300.00	
Annual Contribution in aid of Harbor Grace Fire Brigade, one hundred dollars.....	100.00	
Subsidy Bell Island Transportation Company, one thousand dollars .....	1,000.00	
Advertising in Foreign Press, fifteen hundred dollars.....	1,500.00	
Bonuses on Export Cold Storage Fish, three thousand dollars .....	3,000.00	
Interest on Hr. Grace Water Co. Stock, twelve hundred and fifty-two dollars.....	1,252.00	
	<hr/>	15,452.00

**Militia:**

Salary Archivist, eighteen hundred dollars .....	1,800.00	
Upkeep of Grounds, ten thousand dollars .....	10,000.00	
Incidentals, two hundred dollars .....	200.00	
	<hr/>	12,000.00

**Vital Statistics Office—Salaries:**

The Registrar, twenty-six hundred dollars .....	2,600.00
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Schedule B—  
(Continued)

Deputy Registrar, sixteen hundred dollars .....	1,600.00	
Clerk and Typist, eight hundred dollars .....	800.00	
Assistant Typist, seven hundred and twenty dollars.....	720.00	
	<hr/>	5,720.00

**Contingencies:**

Printing, Stationery and Incidentals, three hundred dollars	300.00	
Registration Fees for Deputies, three thousand dollars .....	3,000.00	
	<hr/>	3,300.00

**Weights and Measures Office—**

**Salary:**

The Inspector of Weights and Measures, two hundred and fifty dollars .....	<hr/>	250.00
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**Contingencies:**

Standard Sets, Weights and Measures and Renewals, three hundred dollars .....	<hr/>	300.00
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**HEAD XIII.—GENERAL CONTINGENCIES**

Amount to meet unforeseen contingent expenditure, fifty thousand dollars .....	<hr/>	50,000.00
		<hr/>
		\$128,862.50
		<hr/>

**DEPARTMENT OF COLONIAL SECRETARY**

**Public Charities A.—**

**Salaries:**

The Commissioner, thirty-six hundred dollars .....	3,600.00
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Schedule B—  
(Continued)

Inspector and Accountant, two thousand dollars .....	2,000.00	
Cashier, fifteen hundred dollars .....	1,500.00	
Bookkeeper, fifteen hundred dollars .....	1,500.00	
Assistant Book-keeper, fifteen hundred dollars .....	1,500.00	
Stenographer and General Clerk, one thousand dollars .....	1,000.00	
	<hr/>	11,100.00

## Relieving Officers,

## Salaries, Outside—

Kelligrews, seventy-eight dollars .....	78.00
Harbor Main, seventy-eight dollars .....	78.00
Conception Harbor, seventy-eight dollars .....	78.00
Brigus, one hundred and ninety-five dollars .....	195.00
Clarke's Beach, seventy-eight dollars .....	78.00
Bareneed, fifty-eight dollars and fifty cents .....	58.50
Ship Cove, fifty-eight dollars and fifty cents .....	58.50
North River, seventy-eight dollars .....	78.00
Bay Roberts, four hundred dollars .....	400.00
Harbor Grace, six hundred and thirty-three dollars and seventy-five cents .....	633.75
Upper Island Cove, two hundred dollars .....	200.00
Spaniard's Bay, one hundred and forty-six dollars and twenty-five cents .....	146.25

Schedule B— **Carbonear, five hundred and**  
 (Continued) **twenty-six dollars and fifty**

<b>cents</b> .....	<b>526.50</b>
Freshwater, Carbonear, fifty dollars .....	50.00
Perry's Cove, forty-three dollars and forty cents.....	43.40
Western Bay, sixty-five dollars	65.00
Northern Bay, twenty-one dollars and sixty cents.....	21.60
Lower Island Cove, forty-three dollars and forty cents.....	43.40
Bay de Verde, sixty-five dollars	65.00
Grate's Cove, sixty-five dollars	65.00
Old Perlican, sixty-five dollars	65.00
New Chelsea, fifty-eight dollars and fifty cents .....	58.50
New Melbourne, fifty-eight dollars and fifty cents .....	58.50
Winterton, thirty-nine dollars	39.00
Heart's Content, ninety-eight dollars and fifty cents .....	98.50
Hearts Delight, thirty-nine dollars .....	39.00
New Harbor, fifty-eight dollars and fifty cents .....	58.50
Trinity, one hundred and seventeen dollars .....	117.00
Britannia, forty-six dollars and eighty cents .....	46.80
Port Rexton, fifty dollars.....	50.00
Hillview, thirty-one dollars and twenty cents .....	31.20
Catalina, one hundred dollars .....	100.00
Bonavista, two hundred dollars	200.00
Elliston, fifty-eight dollars and fifty cents .....	58.50
King's Cove, one hundred and seventeen dollars .....	117.00



Schedule B—  
(Continued)

Open Hall, seventy-eight dollars	78.00
Salvage, seventy-eight dollars..	78.00
St. Brendans, fifty-eight dollars and fifty cents . . . . .	58.50
Glovertown, seventy-eight dol- lars . . . . .	78.00
Gambo, forty dollars . . . . .	40.00
Wesleyville, one hundred and seventeen dollars . . . . .	117.00
Jamestown, seventy-eight dol- lars . . . . .	78.00
Greenspond, one hundred and seventeen dollars . . . . .	117.00
Musgrave Harbor, seventy-eight dollars . . . . .	78.00
Fogo, seventy-eight dollars....	78.00
Bay Bulls Arm, seventy-eight dollars . . . . .	78.00
Twillingate, two hundred and thirty-four dollars . . . . .	234.00
Exploits, seventy-eight dollars	78.00
Grand Falls and Bishop's Falls, forty-eight dollars and seven- ty-five cents . . . . .	48.75
St. Anthony, seventy-eight dol- lars . . . . .	78.00
LaScie, seventy-eight dollars..	78.00
Conche, thirty-nine dollars . . .	39.00
Westport, thirty-nine dollars..	39.00
Labrador, fifty-eight dollars and fifty cents . . . . .	58.50
Forteau, thirty-nine dollars....	39.00
Leadman's Cove, thirty-nine dollars . . . . .	39.00
Bonne Bay, seventy-eight dol- lars . . . . .	78.00
Bay of Islands, seventy-eight dollars . . . . .	78.00

Schedule B—	Stephenville Crossing, one hundred and seventeen dollars....	117.00
(Continued)	Channel, one hundred and thirty dollars .....	130.00
	Rose Blanche, seventy-eight dollars .....	78.00
	La Poile, seventy-eight dollars	78.00
	Burgeo, one hundred and seventeen dollars .....	117.00
	Rencontre, West, seventy-eight dollars .....	78.00
	Pushthrough, forty-eight dollars and seventy-five cents..	48.75
	St. Alban's, twenty-nine dollars and twenty-five cents.....	29.25
	St. Jacques, seventy-eight dollars .....	78.00
	Rencontre East, seventy-eight dollars .....	78.00
	Hermitage, seventy-eight dollars .....	78.00
	Harbor Breton, seventy-eight dollars .....	78.00
	Grand Bank, thirty-nine dollars	39.00
	St. Lawrence, fifty-eight dollars and fifty cents.....	58.50
	Lamaline, seventy-eight dollars	78.00
	Fortune, thirty-nine dollars...	39.00
	Burin, two hundred dollars.....	200.00
	St. George's, seventy-six dollars	76.00
	Marystown, ninety-seven dollars and fifty cents.....	97.50
	Swift Current, thirty-eight dollars .....	38.00
	Branch, thirty-eight dollars.....	38.00
	Flat Island, twenty-three dollars and forty cents.....	23.40
	St. Leonard's, one hundred dollars .....	100.00

Oderin, thirty-nine dollars....	39.00
St. Brides, fifty-eight dollars and fifty cents .....	58.50
Harbor Buffett, seventy-eight lars .....	78.00
Placentia, ninety-seven dollars and fifty cents .....	97.50
Argentia, seventy-eight dollars	78.00
St. Mary's, fifty-eight dollars and fifty cents .....	58.50
Trepassey, seventy-eight dollars	78.00
Ferryland, seventy-eight dollars	78.00
Tor's Cove, seventy-eight dol- lars .....	78.00
Witless Bay, seventy-eight dol- lars .....	78.00
Bell Island, two hundred dollars	200.00
Little Bay, seventy-eight dol- lars .....	78.00
Newtown, one hundred dollars	100.00
Lewisporte, fifty dollars.....	50.00
New offices, if required, to be established by Order-in-Coun- cil, three hundred and ninety dollars .....	390.00
St. Joseph's, fifty-eight dollars and fifty cents.....	58.50
Lumsden North, fifty dollars...	50.00
Chance Cove, fifty dollars.....	50.00
Eastern Brook, sixty dollars..	60.00

Schedule B—  
(Continued)

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9,398.55

### Regular Relief For Poor.

Permanent and Casual Poor, Widows, Orphans, Aged and Infirm, two hundred and for- ty thousand dollars.....	240,000.00
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Schedule B— **Orphanages:**

(Continued)

Church of England, male and female, six thousand five hundred dollars .....	6,500.00
Roman Catholic, male, ten thousand five hundred and sixty-two dollars and fifty cents.	10,562.50
Roman Catholic, females, nine thousand nine hundred and thirty-eight dollars .....	9,938.00
Methodist, females, three thousand and two hundred and fifty dollars .....	3,250.00
Deep Sea Mission, St. Anthony, twenty-four hundred and thirty-eight dollars .....	2,438.00
Church of England Orphanage, Cartwright, fifteen hundred dollars .....	1,500.00

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 34,188.50
**Charitable Societies:**

Dorcas Society, St. John's, two hundred and thirty dollars	230.00
Dorcas Society, Hr. Grace, one hundred and twenty dollars	120.00
Dorcas Society, Carbonear, one hundred and sixteen dollars	116.00
Dorcas Society, Twillingate, one hundred dollars .....	100.00
St. John's Factory, four hundred and sixty-two dollars..	462.00
Benevolent Irish Society Industrial Department, two hundred and thirty-one dollars..	231.00
General Protestant Industrial Society, St. John's, four hundred and sixty-two dollars	462.00

		Schedule B— (Continued)
Ladies' St. Vincent de Paul, St. John's, two hundred and thirty-one dollars.....	231.00	
Ladies' St. Vincent de Paul, Harbor Grace, one hundred and twenty dollars.....	120.00	
Food and Shelter Depot, S.A., two hundred dollars.....	200.00	
Harbor Grace Industrial School, four hundred dollars.....	400.00	
Convalescent Home, one thou- sand dollars .....	1,000.00	
	<hr/>	3,672.00

**Contingencies:**

Shipwrecked Crews, including allowance for keeping ac- counts, \$360.00, five thousand dollars .....	5,000.00	
Printing and Stationery, Post- age and Telegrams, Fuel and Light, Telephone, etc., fif- teen hundred dollars.....	1,500.00	
Deportation of Undesirable Ali- ens, one thousand dollars.....	1,000.00	
Extraordinary Expenditure, five thousand dollars .....	5,000.00	
	<hr/>	12,500.00
		<hr/>
		\$310,859.05
		<hr/>

**Public Health, Salaries:**

Public and Medical Health Offi- cer, thirty-six hundred dol- lars .....	3,600.00
General Inspector, two thousand dollars .....	2,000.00

Schedule B— (Continued)	Accountant, fifteen hundred dol- lars .....	1,500.00
	Clerk and Typist, fifteen hun- dred dollars .....	1,500.00
	Inspector of Milk, Foods, etc., fifteen hundred dollars.....	1,500.00
	Inspector of Meats, fifteen hun- dred dollars .....	1,500.00
	Clerk, Nfld. Board of Health, fifteen hundred dollars.....	1,500.00
	Laboratory Assistant, fourteen hundred dollars .....	1,400.00
	<b>Veterinary Surgeon, twelve hundred dollars .....</b>	<b>1,200.00</b>
	Typist, nine hundred dollars...	900.00
	Telephone Operator, five hun- dred dollars .....	500.00
	Messenger, three hundred and sixty dollars .....	360.00
		<hr/>
		17,460.00

#### Hospital and other Grants:

International Grenfell Associa- tion Hospitals, fifteen thou- sand dollars .....	15,000.00
Moravian Mission, Okak, Labra- dor, two hundred dollars.....	200.00
Grand Bank Hospital, fifteen hundred dollars .....	1,500.00
Grace Hospital for Maternity Cases, three thousand dollars	3,000.00
Grace Hospital, Training Nurses, three thousand dollars.....	3,000.00
N. D. Bay Memorial Hospital, thirty-four thousand dollars..	34,000.00
Training of the Blind, eight thousand dollars .....	8,000.00
Training of the Deaf and Dumb, eight thousand eight hundred dollars .....	8,800.00



Incidental Expenses Training Blind, Deaf and Dumb, eight hundred dollars .....	800.00		Schedule B— (Continued)
Salvation Army Rescue Home, one thousand dollars.....	1,000.00		
Industrial Training for Blind, five thousand dollars.....	5,000.00		
		80,300.00	
Quarantine Officer, Channel, five hundred dollars .....		500.00	
<b>General Public Health:</b>			
Hospital Treatment Sick Poor; Medical Attendance Paupers; Emergency Cases; Public Health St. John's, Outports and Labrador; Conveyance Sick Poor; Labrador Sick Fishermen; V. D. Treatment, Drug Supplies, Sick Poor; Board and Lodging Sick Poor; Public Health Conveyance Extraordinary Expenditure; Inspection and Research; Nur- sing Services; Child Welfare Care of Delinquents and Fee- ble Minded; School Clinics; Public Health Contingencies and Medical Health Officers..-----			
		224,650.00	
		\$322,920.00	

HEAD II.—CIVIL GOVERNMENT A

<b>Justice Department—Salaries:</b>	
The Deputy Head, thirty-six hundred dollars .....	3,600.00
The Secretary and Accountant, twenty-two hundred dollars..	2,200.00

Schedule B— (Continued)	Clerk, twelve hundred dollars...	1,200.00
	Clerk and Stenographer, twelve hundred dollars .....	1,200.00
	Messenger, five hundred dollars	500.00

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 8,700.00
**Contingencies:**

Stationery, three hundred dol- lars .....	300.00
Telegrams, three hundred dol- lars .....	300.00
Sundries, one thousand dollars	1,000.00
Colonial Records, three hundred dollars .....	300.00

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 1,900.00
**HEAD IV.—ADMINISTRATION OF JUSTICE****Supreme Court, Salaries:**

Chief Clerk and Registrar, forty- six hundred dollars .....	4,600.00
Deputy Registrar, twenty-two hundred dollars .....	2,200.00
First Clerk, seventeen hundred and fifty dollars .....	1,750.00
Second Clerk, thirteen hundred dollars .....	1,300.00
Sub-Sheriff, seventeen hundred and twenty-eight dollars.....	1,728.00
Court Reporter, eight hundred and forty-five dollars .....	845.00
Assistant Court Reporter, eight hundred and forty-five dollars	845.00
Stenographer to Registrar, eight hundred and forty dollars.....	840.00
Crier and Tipstaff, one thou- sand dollars .....	1,000.00
Messenger, Asst. Crier and Tip- staff, one thousand dollars...	1,000.00

Schedule B—  
(Continued)

Assistant Messenger, three hundred and sixty dollars.....	360.00	
First Bailiff, nine hundred and thirty-nine dollars and forty cents .....	939.40	
Second Bailiff, nine hundred and thirty-nine dollars and forty cents .....	939.40	
Third Bailiff, eight hundred dollars .....	800.00	
Deputy Sheriffs in outports, payable on certificate of Sheriff, two thousand dollars.....	2,000.00	
	<hr/>	21,146.80

**Contingencies:**

Bailiffs serving summonses, attendance in court, stationery, printing, telegrams, telephones, postage, additional attendance and clerical assistance, five thousand dollars....	5,000.00	
Travelling Expenses (to be paid on certificate of Minister of Justice) viz:—Judges while on Circuit, Sheriffs while on Circuit, Clerk while on Circuit, Crier while on Circuit, other expenses attached to Circuit, hire of steamer for Circuit Court, five thousand dollars .....	5,000.00	
	<hr/>	10,000.00

**Deeds and Companies—Salaries:**

Registrar of Deeds and Companies, twenty-four hundred dollars .....	2,400.00
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Deputy Registrar of Deeds, two thousand dollars.....	2,000.00	
Typist, nine hundred dollars...	900.00	
Asst. Typist, six hundred dollars	600.00	
	<hr/>	5,900.00

**Contingencies:—**

Printing, Stationery, Telegrams, Telephones and Incidentals, five hundred dollars.....	500.00	
Indexing, five hundred dollars..	500.00	
	<hr/>	1,000.00

**District Court, Salaries:**

Clerk of the Peace, St. John's, thirty-six hundred dollars....	3,600.00	
Bailiff of Central District Court, eight hundred and forty-five dollars .....	845.00	
Court Reporter, eight hun- dred and forty dollars.....	840.00	
Clerk of the Peace, Hr. Grace, thirteen hundred dollars ....	1,300.00	
Harbor Grace Bailiff, six hun- dred dollars .....	600.00	
Harbor Grace Keeper of Court House, one hundred and twen- ty-two dollars .....	122.00	
	<hr/>	7,307.00

**Contingencies:—**

Stationery, (St. John's and Hr. Grace,) Printing, Telegrams, Telephones and Postage, Trav- elling Expenses of Judge Central District Court when outside of District, payable on certificate of Minister of Justice, one thousand three hundred dollars .....	<hr/>	1,300.00
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**Magistrates, Salaries:**Schedule B—  
(Continued)

Magistrate Bonavista, fourteen hundred and four dollars and thirty-seven cents .....	1,404.37
Magistrate Burin, twelve hundred and thirty-seven dollars and fifty cents.....	1,237.50
Magistrate, Corner Brook, two thousand five hundred dollars	2,500.00
Magistrate Burgeo, twelve hundred and thirty-seven dollars and fifty cents.....	1,237.50
Magistrate Bonne Bay, fourteen hundred and four dollars and thirty-seven cents .....	1,404.37
Magistrate Brigus, twelve hundred and thirty-seven dollars and fifty cents.....	1,237.50
Magistrate Bell Island, twelve hundred and thirty-seven dollars and fifty cents.....	1,237.50
Magistrate Belleoram, eleven hundred and seventy dollars	1,170.00
Magistrate Channel, fourteen hundred and four dollars and thirty-seven cents .....	1,404.37
Magistrate Carbonear, fourteen hundred and four dollars and thirty-seven cents .....	1,404.37
Magistrate Fogo, eleven hundred and seventy dollars.....	1,170.00
Magistrate Ferryland, twelve hundred and thirty-seven dollars and fifty cents.....	1,237.50
Magistrate Grand Falls, fourteen hundred and four dollars and thirty-seven cents.....	1,404.37
Magistrate Grand Bank, twelve hundred and thirty-seven dol-	

Schedule B—	lars and fifty cents.....	1,237.50
(Continued)	Magistrate Greenspond, twelve hundred and thirty-seven dol- lars and fifty cents.....	1,237.50
	Magistrate Holyrood, twelve hundred and thirty-seven dol- lars and fifty cents.....	1,237.50
	Magistrate Hr. Breton, twelve hundred and thirty-seven dol- lars and fifty cents.....	1,237.50
	Magistrate Labrador, seven hun- dred and fifty dollars .....	750.00
	Magistrate La Scie, seven hun- dred and sixty dollars and fifty cents .....	760.50
	Magistrate St. Lawrence, nine hundred and ninety-nine dol- lars and thirty-seven cents....	999.37
	Magistrate Old Perlican, eleven hundred and seventy dollars.	1,170.00
	Magistrate Placentia, fourteen hundred and four dollars and thirty-seven cents.....	1,404.37
	Magistrate Presque, twelve hun- dred and thirty-seven dollars and fifty cents.....	1,237.50
	Magistrate St. Mary's, eight hun- dred and ninety-nine dollars and forty-three cents.....	899.43
	Magistrate St. George's, four- teen hundred and four dollars and thirty-seven cents .....	1,404.37
	Magistrate St. Anthony, eleven hundred and seventy dollars	1,170.00
	Magistrate Little Bay Is., twelve hundred and thirty-seven dol- lars and fifty cents.....	1,237.50
	Magistrate Twillingate, four- teen hundred and four dollars	



and thirty-seven cents.....	1,404.37
Magistrate Trinity, fourteen hundred and four dollars and thirty-seven cents.....	1,404.37
Magistrate Trepassey, one thousand and thirty-five dollars and forty-five cents.....	1,035.45
Magistrate Lewisporte, five hundred dollars .....	500.00

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 38,376.58

 Schedule B—  
 (Continued)
**Contingencies:**

Stationery, Telegrams, Printing, Travelling Expenses of Magistrates, payable on certificate of Minister of Justice. Personal allowance to Magistrates when on special duty, payable on certificate of Minister of Justice, (any thing in the Audit Act notwithstanding, ten thousand five hundred dollars .....	10,500.00
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**Court Houses and Gaols, Salaries:**

Gaoler Greenspond, three hundred and twelve dollars. ...	312.00
Gaoler Hr. Grace, eight hundred and ninety-nine dollars and forty-three cents .....	899.43
Gaoler Placentia, three hundred and ninety dollars .....	390.00
Turnkey Hr. Grace Gaol, six hundred and fifty-eight dollars and twelve cents.....	658.12

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 2,259.55
**Local Constables—Salaries:**

Blackhead, ninety dollars.....	90.00
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Schedule B—  
(Continued)

<b>Hant's Harbour, seventy-five</b>	
dollars .....	75.00
<b>Lamaline, seventy-three dollars</b>	73.00
<b>Lower Island Cove, seventy-</b>	
three dollars .....	73.00
<b>Musgrave Harbor, seventy-five</b>	
dollars .....	75.00
<b>Pouch Cove, fifty dollars.....</b>	50.00
<b>Portugal Cove, ninety dollars..</b>	90.00
<b>Red Island, fifty dollars.....</b>	50.00
<b>Riverhead, Hr. Grace, fifty dol-</b>	
lars .....	50.00
<b>Rose Blanche, fifty dollars.....</b>	50.00
<b>St. Philip's, ninety dollars.....</b>	90.00
<b>Torbay, one hundred and fifty</b>	
dollars .....	150.00

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 916.00
**Miscellaneous:**

<b>Tuition of Juvenile Prisoners,</b>	
five hundred dollars.....	500.00
<b>Prosecutions, Investigations and</b>	
<b>Civil Actions, Conveyance of</b>	
<b>Prisoners, Fees and Expenses</b>	
<b>of Witnesses, Printing, Pay-</b>	
<b>ment of Jurors, etc., twenty</b>	
five thousand dollars.....	25,000.00
<b>Registration of Jurors, one thou-</b>	
sand two hundred dollars.....	1,200.00
<b>Expenses in connection with In-</b>	
<b>quests and Magisterial En-</b>	
<b>quiries, fifteen hundred dol-</b>	
lars .....	1,500.00

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 28,200.00
**Constabulary (Police), Salaries:**

<b>The Inspector General, four</b>	
thousand dollars .....	4,000.00
<b>The Superintendent, two thou-</b>	
sand four hundred dollars.....	2,400.00

Secretary and Accountant, fifteen hundred dollars.....	1,500.00
Four District Inspectors at \$1,500, six thousand dollars...	6,000.00
Six Head Constables, at \$1,300, seven thousand eight hundred dollars .....	7,800.00
Thirteen Sergeants, at \$1,100, fourteen thousand three hundred dollars .....	14,300.00
Ten Acting Sergeants, at \$1,075, ten thousand seven hundred and fifty dollars .....	10,750.00
Twenty-five Constables, 15 years upwards, at \$1,050, twenty-six thousand two hundred and fifty dollars .....	26,250.00
Twelve Constables, 10 years to 15 years, at \$1,025, twelve thousand, three hundred dollars.....	12,300.00
Twenty-eight Constables, 5 years to 10 years, at \$1,000, twenty-years, at \$1,000. twenty-eight thousand dollars .....	28,000.00
Fourteen Constables, 3rd and 4th year, at \$975, thirteen thousand six hundred and fifty dollars .....	13,650.00
Twenty-three Constables, second year, at \$860, nineteen thousand seven hundred and eighty dollars .....	19,780.00
Nine Constables, 1st year (recruit), at \$800, seven thousand two hundred dollars.....	7,200.00
Messenger, seven hundred dollars .....	700.00
Typist and Stenographer, Headquarters, six hundred dollars	600.00

Schedule B—  
(Continued)

Schedule B—		Typist and Stenographer, Superintendent's Office, Police Station, six hundred dollars	600.00	
(Continued)		Special Services, payable on certificate of Minister of Justice, four hundred dollars.....	400.00	
				156,230.00
		<b>Miscellaneous:</b>		
		Arms and Ammunition, two hundred dollars .....	200.00	
		Uniforms, Accoutrements and Bedding, eleven thousand two hundred dollars .....	11,200.00	
		Lodging Allowances, nine thousand four hundred and eighty dollars .....	9,480.00	
		Rent Outport Barracks, one thousand six hundred and forty-four dollars .....	1,644.00	
		Transfer and Travelling Expenses, fifteen hundred dollars .....	1,500.00	
		Medical Attendance, five hundred dollars .....	500.00	
		Printing and Stationery, seven hundred dollars .....	700.00	
		Telephones and Telegrams, five hundred dollars .....	500.00	
		Sundries, Cooks and Cleaning Stations, fifteen hundred and ninety dollars .....	1,590.00	
		Compensation to families of deceased Constables, two thousand dollars .....	2,000.00	
				29,314.00
		<b>Annuities:</b>		
		Allowance to one man, eighteen hundred and thirty-seven dollars and fifty cents.....	1,837.50	

Schedule B—  
(continued)

Allowance to one man, eleven hundred and twenty-five dollars .....	1,125.00
Allowance to one man, eleven hundred and twenty-five dollars .....	1,125.00
Allowance to one man, eleven hundred and twenty-five dollars .....	1,125.00
Allowance to one man, eleven hundred and twenty-five dollars .....	1,125.00
Allowance to one man, nine hundred and seventy-five dollars .....	975.00
Allowance to one man, nine hundred and seventy-five dollars.....	975.00
Allowance to one man, nine hundred and seventy-five dollars.....	975.00
Allowance to one man, nine hundred and seventy-five dollars .....	975.00
Allowance to one man, nine hundred and seventy-five dollars .....	975.00
Allowance to one man, eight hundred and eighty-one dollars and twenty-five cents....	881.25
Allowance to one man, eight hundred and twenty-five dollars .....	825.00
Allowance to one man, eight hundred and twenty-five dollars .....	825.00
Allowance to one man, eight hundred and twentyfive dollars .....	825.00

Schedule B—	Allowance to one man, eight	
(Continued)	hundred and twenty-five dol-	
	lars .....	825.00
	Allowance to one man, seven	
	hundred and sixty-eight dol-	
	lars and seventy-five cents...	768.75
	Allowance to one man, seven	
	hundred and sixty-eight dol-	
	lars and seventy-five cents...	768.75
	hundred and thirty-five dol-	
	lars .....	735.00
	Allowance to one man, seven	
	hundred and thirty-five dol-	
	lars .....	735.00
	Allowance to one man, six	
	hundred and fifty-three dol-	
	lars and thirty-two cents....	653.32
	Allowance to one man, three	
	hundred and fifty-six dollars	
	and twenty-five cents.....	356.25
	Allowance to one man, three	
	hundred and sixty dollars....	360.00
	Allowance to one man, three	
	hundred and sixty dollars....	360.00
	Allowance to one man, eight	
	hundred and six dollars and	
	twenty-five cents .....	806.25
	Allowance to one man, three	
	hundred and fifteen dollars.....	315.00
		<hr/>
		21,252.07

### **Constabulary (Fire Department).**

#### **Salaries:**

1	Superintendent, seventeen	
	hundred dollars .....	1,700.00
4	District Chiefs, at \$1,300	
	each, five thousand two hun-	
	dred dollars .....	5,200.00



		Schedule B— (Continued)
3 Sergeants at \$1,100, three thousand three hundred dollars .....	3,300.00	
1 Motor Engineer, twelve hundred and twenty-five dollars..	1,225.00	
One Stable Superintendent, ten hundred and seventy-five dollars .....	1,075.00	
19 Constables at \$1050, nineteen thousand nine hundred and fifty dollars.....	19,950.00	
	<hr/>	32,450.00

**Miscellaneous:**

Uniforms and Accoutrements, twenty-seven hundred and fifty dollars .....	2,750.00	
Lodging Allowances, 20 men at \$120, twenty-four hundred dollars .....	2,400.00	
Machinery, Hose, Upkeep Chemical Engine, Harness and Ladders, etc., thirty-five hundred dollars .....	3,500.00	
Printing and Stationery, one hundred dollars .....	100.00	
Telephones, one hundred and sixty dollars .....	160.00	
Ground Rent, one hundred dollars .....	100.00	
Incidentals, five hundred dollars	500.00	
Insurance of Men, two hundred and forty-seven dollars.....	247.00	
	<hr/>	9,757.00

**Additional Aid:**

Reserve Men, three stations, seven hundred dollars.....	<hr/>	700.00
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Schedule B—**Pensions:**

(Continued)

One man, twelve hundred and seventy-five dollars .....	1,275.00
One man, twelve hundred and seventy-five dollars .....	1,275.00
One man, twelve hundred dollars.....	1,200.00
One man, nine hundred dollars	900.00
One man, eight hundred and fifty-eight dollars .....	858.00
One man, seven hundred and sixty-eight dollars and seven-ty-five cents .....	768.75
One man, eight hundred and twenty-five dollars.....	825.00
One man, six hundred and seventy-two dollars .....	672.00
	<hr/>
	7,773.75
	<hr/>
	\$394,982.75
	<hr/>

## HEAD II.—EDUCATION A.

**Salaries:—**

Secretary for Education, thirty-six hundred dollars.....	3,600.00
Accountant, eighteen hundred dollars .....	1,800.00
4 Clerk Stenographers at \$840, three thousand three hundred and sixty dollars.....	3,360.00
Messenger, eight hundred and sixty-four dollars.....	864.00
Principal Normal School, thirty-six hundred dollars.....	3,600.00
Normal School Contingencies, thirty-five hundred dollars	3,500.00
Travelling Expenses, three thousand dollars .....	3,000.00

Printing and Stationery (Contingencies), four thousand dollars .....	4,000.00
Telegrams, telephones, etc., four hundred dollars .....	400.00

Schedule B—  
(Continued)

#### Contingencies:

Stationery and Printing (Superintendent's Office) two thousand dollars .....	2,000.00
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26,124.00

## HEAD II.—DEPT. OF MARINE & FISHERIES

### Salaries:

Deputy Minister, thirty-six hundred dollars .....	3,600.00
Secretary Fishery Board, five hundred dollars .....	500.00
First Clerk and Accountant, eighteen hundred dollars.....	1,800.00
Clerk and Assistant Accountant, fifteen hundred dollars.....	1,500.00
Clerk and Accountant, twenty hundred and fifty dollars...	2,050.00
Clerk and Messenger, ten hundred and eighty dollars.....	1,080.00
Typist and Secretary to Minister, twelve hundred dollars.....	1,200.00
Typist, nine hundred and sixty dollars .....	960.00
Cod Liver Oil and Herring Inspectors (two at \$1750), thirty-five hundred dollars.....	3,500.00
Harbor Master and Examiner Masters and Mates, two thousand dollars.....	2,000.00
Inspector of Boilers and Machinery, twenty-six hundred and forty-three dollars.....	2,643.00

Schedule B— (Continued)	Two Assistant Inspectors of Boilers at \$1728, three thousand four hundred and fifty-six dollars .....	3,456.00
	Lloyds Surveyor, two thousand dollars .....	2,000.00
	Deputy Surveyors of Shipping, two at \$975, nineteen hundred and fifty dollars.....	1,950.00
	Superintendent of Lighthouses, Sub Dept., twenty-five hundred dollars .....	2,500.00
	Accountant Lighthouses, one thousand and eighty dollars	1,080.00
	Clerk and Messenger Lighthouses, one thousand and eighty dollars .....	1,080.00
	Two Mechanics at \$1800, thirty-six hundred dollars.....	3,600.00
	Gas Plant Machinist, fourteen hundred and fifty dollars ....	1,450.00
	Typist Sup Dept., nine hundred and sixty dollars.....	960.00
	Storekeeper Sub Dept., twelve hundred dollars.....	1,200.00
	Superintendent Marine Construction, fifteen hundred dollars .....	1,500.00
	Eight Herring Inspectors, twelve thousand dollars.....	12,000.00
	Telephone Exchange, seven hundred and twenty dollars.....	720.00

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 54,329.00

**Contingencies:**

Printing and Stationery, twenty-three hundred dollars .....	2,300.00
Telegrams, Cables, Seal Fishery Messages, twenty-three hundred dollars ....	2,300.00

Sundries, including telephones, Cleaning, fourteen hundred dollars .....	1,400.00		Schedule B— (Continued)
		6,000.00	

HEAD IX.

<b>Protection:</b>			
Meteorological Service, six thousand five hundred dollars	6,500.00		
In aid of Game and Inland Fish- eries Board, twenty thousand dollars .....	20,000.00		
Fishery Herring Expenses, seven thousand dollars .....	7,000.00		
Codliver Oil Inspection Ex- penses, five thousand dollars	5,000.00		
Fishery Service Inspection, five thousand dollars.....	5,000.00		
		43,500.00	

<b>General:</b>			
Public Wharves, repairs, keep- ers, rent and light, three thousand dollars .....	3,000.00		
Instruction to Masters and Mates, and Asst. Examiners, five hundred dollars.....	500.00		
Cold Storage for Bait, one thou- sand dollars .....	1,000.00		
Bounty on Ships Built and Re- Built, forty thousand dollars	40,000.00		
		44,500.00	

<b>Harbor Improvements:</b>			
Marine Works, fifteen thou- sand dollars .....	15,000.00		
Dredging, thirty thousand dol- lars .....	30,000.00		
		45,000.00	

Schedule B— **Contingencies:**

(Continued)

Travelling Expenses Dept., two thousand dollars .....	2,000.00	
Printing Lobster and Salmon Labels, one thousand dollars .....	1,000.00	
Incidentals, one hundred and fifty dollars .....	150.00	
Telephone Service, five hundred dollars .....	500.00	
Gas Light, King's Wharf, three hundred dollars .....	300.00	
	<hr/>	3,950.00

**Block House.**

Salaries, thirteen hundred and sixteen dollars and twenty-five cents .....	1,316.25	
Maintenance, seven hundred dollars .....	700.00	
	<hr/>	2,016.25

**Noon Gun.**

Salaries, one hundred and seventeen dollars .....	117.00	
Ammunition, seven hundred and fifty dollars .....	750.00	
Chronometer Time, one hundred dollars .....	100.00	
	<hr/>	967.00

**Lighthouses—Salaries:**

Red Bay, five hundred and twenty-six dollars and fifty cents .....	526.50	
Cook's Harbor, one hundred dollars .....	100.00	
Noble Island, eighty dollars...	80.00	
Goose Cove, one hundred dollars	100.00	



Schedule B—  
(Continued)

Jackson's Arm, two hundred and fifty dollars .....	250.00
Seal Cove, two hundred and fifty dollars .....	250.00
Western Cove, two hundred and fifty dollars .....	250.00
Conche, two hundred and fifty dollars .....	250.00
Groais Islands, one hundred dollars .....	100.00
Hooping Harbour, one hundred dollars .....	100.00
Englee, two hundred and fifty dollars .....	250.00
William's Port, one hundred dollars .....	100.00
St. Anthony, five hundred and twenty-six dollars and fifty cents .....	526.50
Great Hr. Deep, one hundred dollars .....	100.00
Griquet, two hundred and fifty dollars .....	250.00
LaScie, eighty dollars .....	80.00
Coachman's Cove, one hundred dollars .....	100.00
Pacquet, one hundred and thirty-six dollars .....	136.00
Gull Island Light, one thousand dollars .....	1,000.00
Gull Island Light Assistant, eight hundred dollars .....	800.00
Gull Island Alarm, 2nd Assistant, seven hundred dollars....	700.00
Nipper's Hr., six hundred and fifty-eight dollars and twelve cents .....	658.12
Gull Island Courier, one hundred and seventy-five dollars	175.00

Schedule B—	Little Bay Islands, five hundred	
(Continued)	and fifty-two dollars and	
	seventy-two cents .....	552.72
	Gull Rock, one hundred and	
	twenty dollars.....	120.00
	St. Michael's Head, two hun-	
	dred dollars .....	200.00
	Long Island, N.D.B., twelve hun-	
	dred dollars .....	1,200.00
	Long Island Courier, forty dol-	
	lars .....	40.00
	Leading Tickles, five hundred	
	and fifty-two dollars and	
	eighty-two cents .....	552.82
	Moreton's Harbor, one hundred	
	dollars .....	100.00
	Twillingate Wharf, two hun-	
	dred and fifty dollars.....	250.00
	Long Point Alarm, Twillingate,	
	nine hundred and twenty-	
	three dollars and forty-one	
	cents .....	923.41
	Long Point Light, Twillingate	
	Asst., seven hundred and	
	thirty-five dollars and fifteen	
	cents .....	735.15
	Duck Island, one hundred dol-	
	lars .....	100.00
	Fortune Harbor, six hundred	
	and fifty-eight dollars and	
	twelve cents .....	658.12
	Exploits Buoys, one hundred	
	dollars .....	100.00
	Mill Point, Botwood, two hun-	
	dred and fifty dollars.....	250.00
	Lower Sandy Point, five hun-	
	dred and fifty dollars.....	550.00
	Grassy Islands, five hundred	
	and fifty dollars .....	550.00

Cabbage Head, five hundred and fifty dollars .....	550.00
Black Island, five hundred and fifty dollars .....	550.00
Surgeon's Cove Head, twelve hundred dollars .....	1,200.00
Bacalhao Keeper, seven hundred dollars .....	700.00
Herring Neck, one hundred dollars .....	100.00
Rag's Island, one hundred dollars .....	100.00
Change Islands, S.E., five hundred and fifty dollars.....	550.00
Steering Island, one hundred dollars .....	100.00
Smoker Island, one hundred dollars .....	100.00
Change Islands, N.W., two hundred and fifty dollars.....	250.00
Cann Island, nine hundred dollars .....	900.00
Green Island, one hundred dollars .....	100.00
Tinker Island, eighty dollars....	80.00
Burnt Point Light and Alarm, twelve hundred dollars.....	1,200.00
Seal Rock, one hundred dollars	100.00
Stag Hr. Run Buoys, six hundred dollars.....	600.00
Tilton, two hundred and fifty dollars .....	250.00
Indian Island, Blundon's Point, one hundred dollars.....	100.00
Joe Batt's Arm, seven hundred and fifty dollars .....	750.00
Wadham Island, twelve hundred dollars .....	1,200.00

Schedule B—  
(Continued)

Schedule B—  
(Continued)

Peckford's Island, twelve hundred dollars .....	1,200.00
Muddy Shag, one hundred dollars .....	100.00
Musgrave Harbor, two hundred and fifty dollars .....	250.00
White Point, fifty dollars ....	50.00
Penguin Island, North, twelve hundred dollars .....	1,200.00
Cabot Island, Light and Alarm, keeper, eight hundred and fifty dollars .....	850.00
Cabot Island Light and Alarm, Assistant, seven hundred and fifty dollars .....	750.00
Cabot Island Coxswain, one hundred and fifty dollars .....	150.00
Stephen's Rock, one hundred and twenty dollars .....	120.00
Wesleyville, one hundred dollars .....	100.00
Templeman L. Lights, one hundred dollars .....	100.00
Gull Island, one hundred and twenty dollar ....	120.00
Kenny Rock, one hundred dollars .....	100.00
Honey Pot Island, Newtown, one hundred dollars .....	100.00
Pound Cove, one hundred dollars .....	100.00
Pound Rock, one hundred dollars .....	100.00
Puffin Island, Light and Alarm, Keeper, seven hundred and fifty dollars .....	750.00
Puffin Island, Light and Alarm, Assistant, seven hundred dollars .....	700.00

Schedule A—  
(Continued)

Black Rock, one hundred dollars .....	100.00
Western Shag, one hundred dollars .....	100.00
Shoe Cove Point, ninety dollars	90.00
Puffin, Flat Island, B.B., one hundred dollars .....	100.00
Gooseberry Islands, one hundred dollars .....	100.00
Little Denier, twelve hundred dollars .....	1,200.00
King's Cove, six hundred and fifty dollars .....	650.00
Happy Adventure, one hundred and twenty dollars .....	120.00
Cape Bonavista Light, eight hundred dollars .....	800.00
Cape Bonavista Light, Assistant, seven hundred dollars....	700.00
Squarry Head, one hundred dollars .....	100.00
Melrose, one hundred and twenty dollars .....	120.00
Brandes, Catalina, one hundred dollars .....	100.00
Green Island, Catalina, eight hundred and fifty dollars.....	850.00
Green Island Light, Catalina, Asst., eight hundred dollars	800.00
Catalina Harbor Light, one hundred and twenty dollars	120.00
Fort Point Light and Alarm, Keeper, seven hundred and fifty dollars .....	750.00
Fort Pt. Fog Alarm, Asst. Keeper, six hundred dollars.....	600.00
Ragged Island, eight hundred dollars .....	800.00

Schedule B— (Continued)	Random, one thousand dollars .....	1,000.00
	Hopeall Head, one hundred dollars .....	100.00
	Heart's Content, five hundred and fifty dollars .....	550.00
	Hant's Harbour, four hundred dollars .....	400.00
	Jean's Head, eight hundred dollars .....	800.00
	Old Perlican, six hundred and fifty dollars .....	650.00
	Baccalieu Light, twelve hundred dollars .....	1,200.00
	Baccalieu Courier, one hundred and ninety-five dollars.....	195.00
	Baccalieu Alarm, twelve hundred dollars .....	1,200.00
	Baccalieu Courier, one hundred dollars .....	100.00
	Western Bay, one thousand dollars .....	1,000.00
	Carbonear Light, one hundred and fifty dollars.....	150.00
	Harbor Grace Island; (acetylene), one hundred dollars	100.00
	Hr. Grace Beacon and Buoys, Hr. Grace Bar Buoys, five hundred and eighty-five dollars .....	585.00
	Bay Roberts, six hundred and fifty dollars .....	650.00
	Cupids, ninety dollars.....	90.00
	Bay Roberts Asst., one hundred and thirty dollars.....	130.00
	Brigus, seven hundred and eighty dollars .....	780.00
	Salmon Cove, four hundred and fifty dollars .....	450.00



Bailyhook, one hundred dollars	100.00
Cape St. Francis, Light and Alarm, eight hundred and fifty dollars.....	850.00
Cape St. Francis (Assistant', eight hundred dollars.....	800.00
Bell Island, one hundred and fifty dollars .....	150.00
St. John's L. L. Congregational Church, two hundred dollars	200.00
St. John's L. L. King's Wharf, two hundred dollars.....	200.00
St. John's Narrows Buoys, two hundred and fifty dollars..	250.00
St. John's Chain Rock, one hundred dollars .....	100.00
Fort Amherst, Light and Alarm, twelve hundred dollars.....	1,200.00
Fort Amherst Light and Alarm Courier, one hundred and twenty dollars .....	120.00
Cape Spear, Light and Alarm, one thousand dollars.....	1,000.00
Cape Spear, Light and Alarm, Asst., nine hundred dollars..	900.00
Cape Spear, Light and Alarm, 2nd Asst., seven hundred and fifty dollars.....	750.00
Bay Bulls, one thousand dollars	1,000.00
Ferryland, eleven hundred and fifty dollars and fifty cents	1,150.50
Powell's Head, Light and Alarm, twelve hundred dollars .....	1,200.00
Powell's Head Light and Alarm, Courier, one hundred and twenty dollars.....	120.00
Fermeuse, Light and Alarm, twelve hundred dollars.....	1,200.00

Schedule B—  
(Continued)

Schedule B—	Renews Buoys, one hundred dol-	
(Continued)	lars .....	100.00
	Cape Pine, twelve hundred dol-	
	lars .....	1,200.00
	Point La Haye, twelve hundred	
	dollars .....	1,200.00
	Coint Island, one hundred dol-	
	lars .....	100.00
	Cape St. Mary's, twelve hun-	
	dred dollars .....	1,200.00
	Cape St. Mary's, Courier, fifty	
	dollars .....	50.00
	Point Verde Light and Alarm,	
	Keeper, seven hundred dollars	700.00
	Point Verde Light and Alarm,	
	Asst., five hundred dollars.....	500.00
	Placentia L. Lights, three hun-	
	dred and eighty-five dollars..	385.00
	Pt. Latine, five hundred and	
	fifty dollars .....	550.00
	Fox Island Courier, one hundred	
	and twenty dollars.....	120.00
	Fox Island, Argentina, Light and	
	Alarm, twelve hundred dol-	
	lars .....	1,200.00
	Harbour Buffett, one hundred	
	dollars .....	100.00
	Merasheen, one hundred dollars	100.00
	Presque, one hundred dollars.....	100.00
	Maricot Courier, fifty dollars...	50.00
	Maricot, twelve hundred dollars	1,200.00
	North Harbur Point, one hun-	
	dred dollars .....	100.00
	Petite Forte, one hundred dollars	100.00
	Ireland Island, one thousand	
	dollars .....	1,000.00
	Grand Bruit, one hundred dol-	
	lars .....	100.00
	LaPoile Little Harbor, eighty	
	dollars .....	80.00

Schedule B—  
(Continued)

Rose Blanche Pt. Light, eight hundred dollars .....	800.00
Rose Blanche Alarm, twelve hundred dollars .....	1,200.00
Bad Neighbour Buoy, one hundred dollars .....	100.00
Petites Buoy and Fog Alarm, five hundred dollars.....	500.00
Burnt Island, five hundred dollars .....	500.00
Burnt Island Alarm, twelve hundred dollars .....	1,200.00
Isle Aux Morts, five hundred dollars .....	500.00
Isle aux Morts Buoy, one hundred dollars .....	100.00
Jude Island, twelve hundred dollars .....	1,200.00
Pert aux Basques, eight hundred and fifty dollars.....	850.00
Channel Harbor, Light and Alarm, twelve hundred dollars	1,200.00
Codroy Island, two hundred and fifty dollars .....	250.00
Crabbe's, one hundred and fifty dollars .....	150.00
St. Lawrence Light and Alarm, twelve hundred dollars ....	1,200.00
Green Island Light and Alarm, nine hundred dollars .....	900.00
Green Island Light and Alarm, Assistant, six hundred dollars .....	600.00
Green Island Light and Alarm, Courier, one hundred and fifty dollars .....	150.00
Lamaline Light and Alarm, twelve hundred dollars.....	1,200.00
Bob's Rock, one hundred dollars	100.00

Schedule B—	Lamaline Leading Light, four	
(Continued)	hundred dollars .....	400.00
	Lord's Cove, sixty dollars.....	60.00
	Brunette, twelve hundred dol-	
	lars ... ..	1,200.00
	Fortune, four hundred and fifty	
	dollars .....	450.00
	Grand Bank, four hundred dol-	
	lars .....	400.00
	Garnish, four hundred dollars	400.00
	Garnish Buoy, one hundred dol-	
	lars .....	100.00
	Ragged Point, one hundred dol-	
	lars .....	100.00
	Long Hr. Point, six hundred	
	and fifty dollars .....	650.00
	Belleoram, four hundred dol-	
	lars .....	400.00
	Rencontre East, one hundred	
	dollars .....	100.00
	Harbor Breton, four hundred	
	dollars .....	400.00
	St. Jacques, twelve hundred dol-	
	lars .....	1,200.00
	Sagona, twelve hundred dol-	
	lars .....	1,200.00
	Pass Island Alarm, twelve	
	hundred dollars .....	1,200.00
	Pass Island Light, seven hun-	
	dred and fifty dollars.....	750.00
	Box Island, Hermitage, one	
	hundred dollars .....	100.00
	Gaultois, four hundred dollars	400.00
	Petites, five hundred dollars.....	500.00
	Pushthrough, one hundred	
	dollars .....	100.00
	Boxey Point, one hundred dol-	
	lars .....	100.00
	Roti Point, one hundred dollars	100.00

West Rencontre, eighty dollars	80 00
Coomb's Cove, one hundred dollars .....	100.00
English Harbor West, one hundred dollars .....	100.00
Penguin Island West Light and Alarm, twelve hundred dollars .....	1,200.00
Penguin Island Courier, three hundred dollars .....	300.00
Francois, twelve hundred dollars	1,200.00
Lawn, one hundred dollars.....	100.00
Ramea, one thousand dollars..	1,000 00
Long Island, one thousand dollars .....	1,000.00
Long Island Courier, one hundred and fifty dollars.....	150.00
Fiat Island, P.B., three hundred and fifty dollars .....	350.00
Tides Pt. Light and Alarm, twelve hundred dollars.....	1,200.00
Iron Island, one hundred and thirty dollars .....	130.00
Dodding Head, two hundred dollars .....	200.00
Corbin, one hundred dollars.....	100.00
Little Burin Island Light and Alarm, twelve hundred dollars .....	1,200.00
Indian Head, one hundred dollars .....	100.00
Fishell's, one hundred and fifty dollars .....	150.00
Sandy Pt. Light, six hundred and fifty dollars .....	650.00
St. George's L. Lights, two hundred and fifty dollars.....	250.00
Black Duck Brook L. Lights, two hundred and fifty dollars	250.00

Schedule B—  
(Continued)

Schedule B— Cape St. George Light and  
(Continued)

Alarm, twelve hundred dollars .....	1,200.00
Port au Port, seven hundred and fifty dollars .....	750.00
Aquathuna Buoys, one hundred dollars .....	100.00
Broad Cove Point, one hundred dollars .....	100.00
Little Port Head, one thousand dollars .....	1,000.00
Meadows, Bay of Islands, one hundred dollars .....	100.00
Frenchman's Head, six hundred and fifty dollars.....	650.00
Eagle Island, one hundred and twenty dollars .....	120.00
South Head, twelve hundred dollars .....	1,200.00
South Head Courier, forty dollars .....	40.00
Lobster Cove Head, one thousand dollars .....	1,000.00
Trout River, one hundred dollars .....	100.00
White Point, Bay of Is., one hundred dollars .....	100.00
Woody Point, one hundred and twenty dollars .....	120.00
Cow Head, seven hundred and fifty dollars .....	750.00
Keppell Island, six hundred and fifty dollars .....	650.00
Port aux Choix, two hundred dollars .....	200.00
St. Barbe Point, one hundred dollars .....	100.00
Assizes Harbor, five hundred and fifty dollars .....	550.00



Henley Harbor, one hundred dollars .....	100.00
Double Island and Assistant, five hundred and fifty dollars .....	550.00
Red Is., Labrador, one hundred dollars .....	100.00
Domino, five hundred and fifty dollars .....	550.00
Indian Tickle, five hundred and fifty dollars.....	550.00
Cape North, five hundred and fifty dollars .....	550.00
Pack's Harbour, five hundred and fifty dollars .....	550.00
Cut Throat, five hundred and fifty dollars .....	550.00
Sloop Cove, one hundred dollars .....	100.00
Winsor's Harbor, five hundred and fifty dollars .....	550.00
Manuel's Island, five hundred and fifty dollars .....	550.00
Cape Harrigan, five hundred and fifty dollars .....	550.00
Draw Bucket Tickle, five hundred and fifty dollars.....	550.00
Sandy Island Point, one hundred dollars .....	100.00
Ford's Harbor, five hundred and fifty dollars .....	550.00
Boar Island, seven hundred and fifty dollars .....	750.00
Burgeo, Flat Island, one hundred and twenty dollars.....	120.00
Kelligrews' Wharf Light, fifty dollars .....	50.00
St. George's Turf Point, thirty-five dollars .....	35.00
St. George's Wharf Light, thirty-five dollars .....	35.00

Schedule B—  
(Continued)

## Schedule B—Leading Tickle Wharf Light.

(Continued)

thirty-five dollars .....	35.00
Fredericton, thirty-five dollars	35.00
Springdale Wharf, fifteen dollars .....	15.00
Wesleyville Wharf Light, one hundred dollars .....	100.00
West au Loup, one hundred and twenty dollars .....	120.00
West St. Modiste, one hundred and twenty dollars .....	120.00
Forteau, fifty dollars .....	50.00
LaScie Wharf Light, thirty-six dollars .....	36.00
Daniel's Harbor, twenty-five dollars .....	25.00
St. John's Island, seventy-five dollars .....	75.00
Trinity Wharf Light, thirty dollars .....	30.00
Greenspond L. Light, fifty dollars .....	50.00
Gooseberry Island, ten dollars	10.00
Joe Batt's Arm Beacon, one hundred dollars .....	100.00
Fogo, sixty dollars .....	60.00
Fogo, Light Buoy, forty dollars	40.00
Bragg's Island, fifty dollars..	50.00
Deer Island, thirty dollars....	30.00
Salvage Bay, fifty dollars .....	50.00
Newell's Island, twenty-five dollars .....	25.00
Safe Harbor Buoys, seventy-five dollars .....	75.00
Bonavista Wharf Light, sixty dollars .....	60.00
Brig Bay, fifty dollars.....	50.00
Herring Neck wharf, twenty-five dollars .....	25.00

Schedule B—  
(Continued)

St. Lawrence Beacon, sixty dollars .....	60.00
St. Lawrence Wharf Light, sixty dollars .....	60.00
Little St. Lawrence, Buoy, fifteen dollars .....	15.00
Spaniard's Bay Wharf Light, (2), eighty dollars .....	80.00
Pouch Cove (5), one hundred and forty dollars .....	140.00
Portugal Cove (3), ninety dollars .....	90.00
Branch, fifty dollars .....	50.00
St. Bride's Fog Alarm, one hundred and fifty dollars .....	150.00
Flat Island Buoys (3), eighty dollars .....	80.00
March's Point Lights (2), fifty dollars .....	50.00
Green Gardens Lights (2), fifty dollars .....	50.00
Little Gardens Lights (2), fifty dollars .....	50.00
De Gras Lights (2), fifty dollars .....	50.00
Sheaves Cove Lights (2), fifty dollars .....	50.00
Horse Island Lights (2), thirty-six dollars .....	36.00
Loo Cove Buoys (2), twenty-five dollars .....	25.00
Charlton Rock Buoy, and Blandford Rock Buoy, sixty dollars .....	60.00
Spencer's Cove Buoy, ten dollars .....	10.00
Durrell's Arm Buoy, twenty-five dollars .....	25.00
Little Bay, P.B., Buoy, twenty dollars .....	20.00
Patrick's Cove, Light, twenty dollars .....	20.00

Schedule B—	Merasheen Buoy, twenty-four	
(Continued)	dollars .....	24.00
	Wesleyville Buoy, twenty dol-	
	lars .....	20.00
	Piccott's Channel, forty dollars	40.00
	Watch Rock Fogo Buoy, twenty	
	dollars .....	20.00
	Change Islands Buoy, sixty dol-	
	lars .....	60.00
	Penney's Rock, Seldom, Buoys,	
	thirty dollars .....	30.00
	Catalina Leading Lights (5), one	
	hundred and ten dollars.....	110.00
	High Beach Buoy, thirty-five	
	dollars .....	35.00
	Clam Bank Cove, forty dollars	40.00
	West Bay, forty dollars.....	40.00
	Pacquet, one hundred and forty	
	dollars .....	140.00
	St. Barbe Bay, seventy dollars	70.00
	St. Brendan's Wharf, twenty	
	dollars .....	20.00
	Hall Point, fifty dollars.....	50.00
	New Ferrole, twenty dollars.. ..	20.00
	Lumsden, eighty dollars .....	80.00
	Templeton, ninety dollars.....	90.00
	Musgrave Hr. Range, fifty dol-	
	lars .....	50.00
	Tree Rock Cove, fifty dollars....	50.00
	Pilley's Is. Wharf, thirty dol-	
	lars .....	30.00
	Main Point, Fogo, forty dollars	40.00
	Seal Rocks, Greenspond, eight	
	dollars .....	8.00
	Hr. Rock, Greenspond, twelve	
	dollars .....	12.00
	Newtown Buoys, three, fifty	
	dollars .....	50.00
	Badger's Quay, eight dollars.....	8.00

Deer Island Buoys, ten dollars	10.00
Burnside Buoys, twelve dollars	12.00
Burnside Light, fifty dollars.....	50.00
St. George's Buoys (4), twenty dollars .....	20.00
Wood's Is., Bay of Is., Buoys, twenty-five dollars .....	25.00
Mainland Light, fifty dollars..	50.00
Fox Harbor, P.B., Buoys, twenty dollars .....	20.00
Milltown, Bay d'Espoir, ten dollars .....	10.00
Musgrave Hr. Buoy, eighty dollars .....	8.00
Point Leamington Buoy, ten dollars .....	10.00
Pt. Leamington, Light, twenty-four dollars .....	24.00
Polting, Buoys, twenty-four dollars .....	24.00
Ship Cove, fifty dollars.....	50.00
Fox Harbor, one hundred dollars	100.00
Kelligrews, fifty-four dollars...	54.00
Gooseberry Is., twenty dollars..	20.00
Rencontre East Buoy, ten dollars	10.00
Joe Batt's Arm Buoy, twenty dollars .....	20.00
Cook's Hr. Buoys, three, fifty dollars .....	50.00
Brig Bay Light, twenty-five dollars .....	25.00
Jackson's Arm Wharf Light, twenty-five dollars.....	25.00
English Hr., (2) Buoys, fifteen dollars .....	15.00
Pilley's Island Buoys, fifteen dollars .....	15.00
Lower Island Cove, twenty-five dollars .....	25.00

Schedule B—  
(Continued)

Schedule B—	Rushoon, P.B., ten dollars.....	10.00
(Continued)	High Beach and Lorries Buoy, thirty-five dollars .....	35.00
	Lamaline (Buoy West), fifteen dollars .....	15.00
	Marmanville, (3) Buoys, twenty- five dollars .....	25.00
	Hare Bay, Light, twenty dollars	20.00
	Cape Island, Light, fifty dollars	50.00
	Assizes Harbor, Buoys, twenty- five dollars .....	25.00
	St. Jacques, fifteen dollars.....	15.00
	St. Anthony, Fog Alarm, seven- ty-five dollars.....	75.00
	St. Patrick's Wharf, twenty dol- lars .....	20.00
	Gambo Light, twenty dollars.....	20.00
	Placentia Gut Light, fifty dollars	50.00
	Port de Grave, fifty dollars.....	50.00
	Oderin Wharf Light, twenty-five dollars .....	25.00
	Musgravetown, B.B., fifteen dol- lars .....	15.00
	Stag Hr. Run Buoy, thirty-six dollars .....	36.00
	Safe Hr. Light, forty dollars....	40.00
	Fredericton Buoys, twenty dol- lars .....	20.00
	Codroy Buoys, fifteen dollars...	15.00
	King's Point, thirty dollars.....	30.00
	Lord's Cove Fog Horn, fifty dol- lars .....	50.00
	Conception Hr. Wharf Light, twenty-two dollars .....	22.00
	Bay Roberts Wharf Light, thirty dollars .....	30.00
	Broad Cove Light, thirty dollars	30.00
	Long Pond Wharf Light, fifty dollars .....	50.00



Holyrood, thirty dollars.....	30.00
White Point, Ladle Cove, fifty dollars .....	50.00
Indian Island, fifty dollars.....	50.00
Exploits Buoys, thirty-five dollars .....	35.00
Victoria Cove, thirty dollars....	30.00
Upper Island Cove, fifty dollars	50.00
Hibb's Cove, fifty dollars.....	50.00
Hussey's Cove, fifty dollars....	50.00
Brigus, fifty dollars.....	50.00
Heart's Content, fifty dollars...	50.00

Schedule B—  
(Continued)

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#### Maintenance:

Anse au Loup, thirty dollars.....	30.00
Cook's Harbor, one hundred and twenty dollars.....	120.00
Red Bay, one hundred and thirty dollars .....	130.00
Noble Island, one hundred and twenty dollars .....	120.00
Goose Cove, one hundred and sixty dollars .....	160.00
Jackson's Arm, forty dollars..	40.00
Seal Cove, sixty dollars.....	60.00
Western Cove, sixty dollars...	60.00
Conche, seventy dollars.....	70.00
Groais Island, one hundred and twenty dollars .....	120.00
Hooping Harbour, one hundred and twenty dollars.....	120.00
Williamsport, one hundred and twenty dollars .....	120.00
Englee, fifty dollars .....	50.00
St. Anthony, one hundred and fifty dollars .....	150.00
Great Harbor Deep, one hundred and twenty dollars ....	120.00

Schedule B—	Griquet, sixty dollars .....	60.00
(Continued)	La Scie, one hundred and twenty dollars .....	120.00
	Pacquet, one hundred dollars.....	100.00
	Coachman's Cove, one hundred and twenty dollars.....	120.00
	Gull Island Light and Alarm, two thousand dollars.....	2,000.00
	Nipper's Harbor, three hundred dollars .....	300.00
	Little Bay Islands, two hundred and ten dollars.....	210.00
	Gull Rock, one hundred and fifty dollars .....	150.00
	St. Michael's Head, seventy-seven dollars .....	77.00
	Long Island, N.D.B., seven hundred dollars .....	700.00
	Leading Tickles, one hundred and forty dollars.....	140.00
	Moreton's Harbor, one hundred and twenty dollars.....	120.00
	Twillingate Wharf Light, sixty dollars .....	60.00
	Long Pt. Light and Fog Alarm, sixteen hundred dollars .....	1,600.00
	Duck Island, one hundred dollars .....	100.00
	Fortune Harbor, three hundred and twenty-two dollars ....	322.00
	Exploits Buoys, fifty dollars..	50.00
	Mill Point, one hundred and twenty-five dollars .....	125.00
	Lower Sandy Point, two hundred and sixty one dollars...	261.00
	Grassy Island, two hundred and fifteen dollars .....	215.00
	Black Island, five hundred and seventy dollars .....	570.00

Schedule B—  
(Continued)

Cabbage Head, four hundred and twenty-eight dollars ....	428.00
Surgeon's Cove Head, seven hundred dollars .....	700.00
Bacalhao, three hundred and thirty dollars .....	330.00
Herring Neck, one hundred and twenty dollars .....	120.00
Rag's Island, one hundred and twenty dollars .....	120.00
Change Islands, S. E., four hun- dred and seven dollars .....	407.00
Change Islands, N.W., one hun- dred dollars .....	100.00
Smoker's Island, one hundred and twenty dollars .....	120.00
Cann Island, three hundred and seventy-two dollars ....	372.00
Steering Island, one hundred dollars .....	100.00
Tinker Rock, one hundred and twenty dollars .... ..	120.00
Green Island, one hundred dol- lars .....	100.00
Burnt Pt. Light and Alarm, one thousand dollars.....	1,000.00
Seal Rocks, one hundred dollars	100.00
Stag Hr. Run Buoys, five hun- dred dollars .....	500.00
Tilton, fifty-four dollars.....	54.00
Joe Batt's Arm, three hundred and forty-eight dollars .....	348.00
Indian Island, Blundon Point, one hundred and twenty dol- lars .....	120.00
Wadham Island, six hundred dollars .....	600.00
Peckford's Island, six hundred dollars .....	600.00

Schedule B—  
(Continued)

Musgrave Harbor, sixty-three dollars .....	63.00
White Point, fifty dollars....	50.00
Muddy Shag, one hundred and seventy-six dollars .....	176.00
Penguin Island North, six hundred dollars .....	600.00
Cabot Island Light and Alarm, fourteen hundred dollars.....	1,400.00
Stephen's Rock, one hundred and fifty dollars.....	150.00
Western Shag, one hundred dollars .....	100.00
Wesleyville, one hundred and sixty dollars .....	160.00
Puffin Island Light, four hundred and eighty dollars.....	480.00
Puffin Island Alarm, one thousand and forty-six dollars.....	1,046.00
Gull Island, Cape Freels, one hundred and eighty dollars....	180.00
Kenny's Rock, one hundred dollars .....	100.00
Honey Pot Island, one hundred and sixty dollars .....	160.00
Pound Cove, one hundred dollars .....	100.00
Pound Rock, one hundred dollars	100.00
Gooseberry Island, one hundred dollars .....	100.00
Black Rock, one hundred dollars .....	100.00
Templeman's L. Lights, forty dollars .....	40.00
Shoe Cove Point, one hundred and twenty dollars.....	120.00
Flat Islands, B.B., one hundred and twenty dollars .....	120.00

Little Denier, seven hundred dollars .....	700.00
King's Cove, three hundred dollars .....	300.00
Cape Bonavista Light, five hundred and twelve dollars.....	512.00
Cape Bonavista Alarm, thirteen hundred and three dollars..	1,303.00
Happy Adventure, forty dollars	40.00
Squarry Head, one hundred and ninety dollars .....	190.00
Melrose, ninety-two dollars.....	92.00
Green Island Light and Alarm, seventeen hundred dollars..	1,700.00
Catalina Harbor Light, eighty dollars .....	80.00
Catalina, Brandies, Bell Buoy, one thousand dollars .....	1,000.00
Fort Point Light, one hundred and thirty dollars.....	130.00
Fort Point Alarm, eight hundred dollars .....	800.00
Ragged Island, three hundred dollars .....	300.00
Random, two hundred and fifty-five dollars .....	255.00
Hopeall, one hundred and sixty dollars .....	160.00
Heart's Content, one hundred and ninety-four dollars .....	194.00
Heart's Content Wharf, fifty dollars .....	50.00
Heart's Harbor, one hundred and four dollars .....	104.00
Jean's Head, two hundred and sixty dollars .....	260.00
Old Perlican, two hundred dollars .....	200.00

Schedule B—  
(Continued)

Schedule B— (Continued)	Baccalieu Light, six hundred dollars .....	600.00
	Baccalieu Alarm, two thousand dollars .....	2,000.00
	Western Bay, five hundred dollars .....	500.00
	Carbonear Island, two hundred and fifty dollars .....	250.00
	Harbor Grace Island, four hundred and sixty-six dollars.....	466.00
	Hr. Grace Beacon and Buoys, four hundred and sixteen dollars .....	416.00
	Upper Island Cove, one hundred dollars .....	100.00
	Bay Roberts, two hundred and ninety-two dollars .....	292.00
	Hibb's Hole, Hussey's, one hundred dollars .....	100.00
	Brigus, two hundred and seventy-eight dollars .....	278.00
	Salmon Cove, two hundred dollars .....	200.00
	Bally Hock, one hundred dollars .....	100.00
	Cupids, one hundred and fifty dollars .....	150.00
	Cape St. Francis Light and Alarm, fifteen hundred dollars .....	1,500.00
	St. John's Leading Lights, five hundred and forty-two dollars .....	542.00
	St. John's Buoys, one hundred and sixty dollars .....	160.00
	Chain Rock, one hundred dollars .....	100.00
	Fort Amherst Light and Alarm, eleven hundred dollars.....	1,100.00



Schedule B—  
(Continued)

Cape Spear Light and Alarm, two thousand dollars .....	2,000.00
Bay Bulls, two hundred and seventy-five dollars .....	275.00
Ferryland, four hundred and sixty-eight dollars .....	468.00
Bear Cove Head Light and Alarm, thirteen hundred and fifty dollars .....	1,350.00
Renews Buoy, five hundred dol- lars .....	500.00
Powell's Head Light and Alarm fifteen hundred dollars .....	1,500.00
Cape Pine, six hundred dollars	600.00
Pt. La Haye, Light and Alarm, fourteen hundred dollars.....	1,400.00
Colinet, one hundred dollars.....	100.00
Cape St. Mary's, eight hundred dollars .....	800.00
Marticot, four hundred dollars	400.00
Pt. Verde Light and Alarm, thirteen hundred dollars.....	1,300.00
Placentia L. Lights, one hundred and two dollars .....	102.00
Argentia Light and Alarm, four- teen hundred dollars.....	1,400.00
Pt. Latine, two hundred and nineteen dollars .....	219.00
Fox Harbor Leading Lights, one hundred dollars .....	100.00
Presque, one hundred and twen- ty dollars .....	120.00
Hr. Buffett, one hundred dollars	100.00
Jude Island, twelve hundred dol- lars .....	1,200.00
Long Island, P.B., three hun- dred and thirty-seven dollars	337.00

Schedule B—	Merasheen, one hundred and	
(Continued)	twenty dollars .....	120.00
	Petite Forte, one hundred dol-	
	lars .....	100.00
	North Hr. Point, P.B., one hun-	
	dred dollars .....	100.00
	Flat Island, P.B., one hundred	
	and seventeen dollars.....	117.00
	Tide's Point Light and Alarm,	
	fourteen hundred dollars....	1,400.00
	Dodding Head, two hundred	
	dollars .....	200.00
	Corbin, one hundred and fifty	
	dollars .....	150.00
	Iron Island, one hundred and	
	seventy-six dollars .....	176.00
	Burin Is. Light and Alarm, thir-	
	teen hundred dollars.....	1,300.00
	St. Lawrence L. and Alarm,	
	fifteen hundred and thirty-	
	eight dollars .....	1,538.00
	Lamaline Buoys, two hundred	
	and thirty-seven dollars .....	237.00
	Lamaline L. Lights, one hun-	
	dred and thirty-three dollars	133.00
	Lamaline New Fog Alarm,	
	twelve hundred dollars.....	1,200.00
	Bob's Rock, five hundred dollars	500.00
	Green Is. Light and Alarm,	
	twenty-two hundred dollars	2,200.00
	Lawn, two hundred dollars.....	200.00
	Brunette, four hundred and	
	sixteen dollars .....	416.00
	Fortune, one hundred dollars.	100.00
	Grand Bank, one hundred dol-	
	lars .....	100.00
	Garnish, three hundred and	
	thirty-eight dollars .....	338.00

Schedule B—  
(Continued)

Garnish Buoy, five hundred dollars .....	500.00
Ragged Point, Bay I'Argent, one hundred dollars .....	100.00
Long Hr. Point, two hundred and sixteen dollars.....	216.00
Belleoram, one hundred and five dollars .....	105.00
Rencontre, one hundred and fifty dollars .....	150.00
Hr. Breton, one hundred and thirty-four dollars .....	134.00
Sagona, twelve hundred dollars	1,200.00
Pass Island Alarm, twelve hundred dollars .....	1,200.00
Pass Island Light, four hundred and seventy-three dollars....	473.00
St. Jacques Light and Alarm, sixteen hundred dollars.....	1,600.00
English Harbor West, one hundred and sixty dollars.....	160.00
Boxey Point, one hundred and sixty dollars .....	160.00
Roti Point, one hundred dollars	100.00
Gaultois, sixty-six dollars....	66.00
Petites, two hundred and fifty dollars .....	250.00
Coomb's Cove, one hundred and fifty dollars .....	150.00
West Rencontre, one hundred and sixty dollars .....	160.00
Fox Island and Hermitage, one hundred and twenty dollars	120.00
Pushthrough, one hundred and sixty dollars .....	160.00
Penguin Is. W.Light and Alarm, eighteen hundred dollars....	1,800.00
Boar Island, two hundred and twelve dollars .....	212.00

Schedule B—  
(Continued)

Bugeo Flat Island, one hundred and sixty dollars....	160.00
Francois, twelve hundred dollars	1,200.00
Ramea, three hundred and six dollars .....	306.00
Iceland Island, two hundred and forty-three dollars..	243.00
Grand Bruit, two hundred dollars .....	200.00
LaPoile Little Harbor, one hundred and sixty dollars.....	160.00
Rose Blanche Light, two hundred and seventy-eight dollars	278.00
Rose Blanch Alarm, twelve hundred dollars.....	1,200.00
Bad Neighbour Buoy, five hundred dollars .....	500.00
Burnt Island, one hundred and ten dollars .....	110.00
Burnt Island Alarm, twelve hundred dollars .....	1,200.00
Isle aux Morts, one hundred and fifty-five dollars .....	155.00
Petites, Fog Guns, two hundred dollars .....	200.00
Petites Buoys, five hundred dollars .....	500.00
Isle aux Morts Buoys, five hundred dollars .....	500.00
Port aux Basques, twenty-five hundred dollars .....	2,500.00
Channel Head Light and Alarm, fourteen hundred dollars .....	1,400.00
Fishell's, sixty dollars .....	60.00
Indian Head, one hundred and twenty dollars .....	120.00
Sandy Point Light, two hundred and twenty-two dollars	222.00

Crabbes, fifty dollars .....	50.00
Cape St. George L. and Alarm, five hundred dollars .....	500.00
St. George's Leading Lights, eighty-six dollars .....	86.00
Black Duck Brook L. Lights, eighty dollars .....	80.00
Codroy Island, one hundred and sixty dollars .....	160.00
Port au Port, three hundred and twenty dollars .....	320.00
Aquathuna Buoys, four hundred dollars .....	400.00
Broad Cove Point, two hundred dollars .....	200.00
LaScie Wharf Light, twenty-five dollars .....	25.00
Leading Tickles Wharf Light, fourteen dollars .....	14.00
Fredericton, eleven dollars.....	11.00
Springdale Wharf, fifteen dol- lars .....	15.00
Fogo Wharf, twenty dollars ..	20.00
Joe Batt's Arm, sixteen dollars	16.00
Wesleyville Wharf Light, four- teen dollars .....	14.00
Bragg's Island, fourteen dol- lars .....	14.00
Deer Island Light, fifteen dol- lars .....	15.00
Greenspond Leading Light, twenty-three dollars .....	23.00
Benavista Wharf Light, fifteen dollars .....	15.00
Newell's Island, eighteen dol- lars .....	18.00
Salvage Wharf Light, eleven dollars .....	11.00

Schedule B—  
(Continued)

Schedule B—	Trinity Wharf, fifteen dollars.	15.00
(Continued)	Heart's Content Light, forty dollars .....	40.00
	Spaniard's Bay Light, eleven dollars .....	11.00
	Kelligrew's Light, twenty dollars .....	20.00
	Portugal Cove, twenty dollars	20.00
	Pouch Cove, twenty dollars...	20.00
	Trepassey Wharf Light, nineteen dollars .....	19.00
	Branch, eighteen dollars.....	18.00
	St. Lawrence Beach Light and Wharf Light, forty dollars..	40.00
	Sandy Point Wharf Light, twenty-five dollars .....	25.00
	St. George's Turf Light, nineteen dollars .....	19.00
	March's Point(2)Lights, forty dollars .....	40.00
	Green Gardens (2) Lights, forty dollars .....	40.00
	Little Gardens (2) Lights, forty dollars .....	40.00
	Sheaves Cove (2) Lights, forty dollars .....	40.00
	Horse Island, twenty-five dollars	25.00
	Change Island Buoys, thirty dollars .....	30.00
	Daniel's Harbor, twenty dollars	20.00
	St. John's Island Light, twenty dollars .....	20.00
	Current Island, twenty dollars	20.00
	West Modiste, forty dollars...	40.00
	Forteau, twenty-four dollars..	24.00
	Safe Harbor Buoys, ten dollars	10.00
	St. George's Buoys, ten dollars	10.00
	Fox Harbour Light, one hundred dollars .....	100.00



Schedule B—  
(Continued)

Fox Harbor Buoys, ten dollars	10.00
Loo Cove Buoys, ten dollars..	10.00
Flat Island Buoys, ten dollars	10.00
Charlton Rock Buoys, Catalina, one hundred and twelve dol- lars .....	112.00
Seal Rock, Greenspond, Buoys, ten dollars .....	10.00
Fogo Harbour Rock, Buoys, ten dollars ....	10.00
Durrell's Arm Buoys, ten dol- lars .....	10.00
Little Bay, Mortier Bay, Buoys, ten dollars .....	10.00
Gooseberry Island Buoys, ten dollars .....	10.00
Musgrave Harbor Buoys, ten dollars .....	10.00
Point Leamington Buoys, five dollars .....	5.00
White Gown, Change Island, Buoys ten dollars .....	10.00
Merashcen Buoys, sixteen dol- lars .....	16.00
Milltown, Bay D'Espoir, five dollars ....	5.00
Wesleyville Buoys, ten dollars	10.00
Greenspond Hr., D'Espoir, Buoys five dollars .....	5.00
Spencer Cove Buoys, ten dol- lars ....	10.00
Newtown, B.B., Buoys, ten dol- lars .....	10.00
High Beach Buoys, one hun- dred dollars .....	100.00
Watch Rock Buoys, ten dollars	10.00
Badger Quay Buoys, ten dol- lars .....	10.00
Oderin Wharf Light, ten dollars	10.00

Schedule B—		Lower Island Cove, fifteen dol-	
(Continued)		lars .....	15.00
		Musgrave, B.B., five dollars.....	5.00
		Stag Hr. Run Buoys, twenty dol-	
		lars .....	20.00
		Safe Hr. Light, ten dollars.....	10.00
		Frederickton Buoys, ten dollars.	10.00
		Codroy Buoys, five dollars.....	5.00
		King's Point, ten dollars.....	10.00
		Conception Hr. Wharf Light,	
		five dollars .....	5.00
		Long Pond Wharf Light, five	
		dollars .....	5.00
		White Point Ladle Cove, ten dol-	
		lars .....	10.00
		Indian Island, ten dollars.....	10.00
		Exploits Buoys, fifteen dollars..	15.00
		Victoria Cove, ten dollars.....	10.00
		Placentia Gut Light(2), twenty	
		dollars .....	20.00
		Gooseberry Island, ten dollars..	10.00
		Rencontre East, ten dollars....	10.00
		Customs Duties, five thousand	
		dollars .....	5,000.00
		General Lighthouses, three thou-	
		sand dollars.....	3,000.00
		<b>General Repairs and Upkeep of</b>	
		Services, five thousand dollars	5,000.00
		<b>Upkeep to Aids to Navigation,</b>	
		two thousand dollars.....	2,000.00
		Acetylene Gas Plant, nineteen	
		hundred dollars.....	1,900.00
			<hr/>
			109,851.00
		<b>Supplies, seventeen thousand</b>	
		<b>dollars .....</b>	<hr/>
			17,000.00

**Contingencies:**Schedule B—  
(Continued)

Required for Travelling and other expenses, one thousand five hundred dollars .....	1,500.00
	<hr/>
	\$453,107.09
	<hr/>

**HEAD II.—DEPT. OF AGRICULTURE & MINES—A****Salaries (Inside):**

The Deputy Head, thirty-six hundred dollars .....	3,600.00	
First Clerk, eighteen hundred dollars .....	1,800.00	
Cashier and Accountant, eighteen hundred dollars.....	1,800.00	
Second Clerk, eighteen hundred dollars .....	1,800.00	
Third Clerk, one thousand and seventy dollars .....	1,070.00	
Fourth Clerk, ten hundred and seventy dollars .....	1,070.00	
Stenographer and Asst. Regis- trar, one thousand dollars.....	1,000.00	
Surveyor to Department, sev- enteen hundred dollars.....	1,700.00	
Messenger and Storekeeper, eleven hundred and fourteen dollars .....	1,114.00	
Secretary of Agriculture, twen- ty-five hundred dollars .....	2,500.00	
Typist to Secretary of Agricul- ture, one thousand dollars.....	1,000.00	
Assistant Typist to Secretary of Agriculture, seven hundred and twenty dollars.....	720.00	
	<hr/>	19,174.00

Schedule B— **Museum:**

(Continued)

Historiographer, seven hundred and sixty-six dollars and six- ty-six cents .....	766.66
Asst. Keeper Museum, six hun- dred and sixty dollars.....	660.00

1,426.66

**Surveyors, Etc.:**

Clerk to Govt. Geologist, fifteen hundred dollars .....	1,500.00
Chief Surveyor, two thousand dollars .....	2,000.00
Surveyor (1), sixteen hundred dollars .....	1,600.00
Surveyors (1), fourteen hun- dred dollars .....	1,400.00
Additional Surveyors and As- sistants, thirty-seven hundred dollars .....	3,700.00
Woods Ranger, eighteen hundred and fifty dollars .....	1,850.00
Two Inspectors of Timber Lim- its, at \$1,400 each, twenty- eight hundred dollars.....	2,800.00

14,850.00

**Salaries Government Laboratory:**

Government Analyst, thirty- eight hundred dollars ....	3,800.00
Asst. Government Analyst, four- teen hundred and fifty dollars	1,450.00
Clerk and Assistant, nine hun- dred dollars .....	900.00
Messenger, seven hundred dol- lars .....	700.00

6,850.00

**Contingencies:**

Printing and Stationery, one thousand five hundred dollars	1,500.00
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Printing and Stationery, Government Geologist, two hundred dollars .....	200.00	Schedule B— (Continued)
Repairs to Instruments, five hundred dollars .....	500.00	
Telegrams and Postage, two hundred and fifty dollars....	250.00	
Sundries, including Telephones, Charwoman, etc., seven hundred and fifty dollars .....	750.00	
	<hr/>	
		3,200.00

#### HEAD VIII.—AGRICULTURE & MINES.

Petty Surveys, one thousand dollars .....	1,000.00
<b>Preservation of Sheep, viz:—</b>	
Required for destroying dogs, and cost of proclamations, one hundred and twenty dollars	120.00
Supplies for Surveyors and Department, ten thousand dollars .....	10,000.00
Expenses connection with forest fires, ten thousand dollars	10,000.00
Timber Inspection, one thousand dollars .....	1,000.00
Rent of Court in Imperial Institute, nine hundred and eighty dollars .....	980.00
Five Inspectors under Logging Act, salaries, and expenses, six thousand two hundred and fifty dollars.....	6,250.00
Apparatus, Equipment and Supplies for Government Laboratory, one thousand dollars..	1,000.00
Refunds, fifteen hundred dollars .....	1,500.00

Schedule B—	Encouragement of Agriculture,		
(Continued)	twenty thousand dollars.....	20,000.00	
	Poultry Exhibition, St. John's,		
	four hundred dollars.....	400.00	
	Summer Camp Inspection, two		
	thousand dollars .....	2,000.00	
	Fire Patrol Committee, eight		
	thousand dollars .....	8,000.00	
		<hr/>	54,250.00
			<hr/>
			\$107,750.66
			<hr/>

## HEAD II.—DEPARTMENT OF PUBLIC WORKS

### Salaries:—

The Deputy Minister, thirty-six	
hundred dollars .....	3,600.00
First Clerk and Accountant,	
twenty-five hundred dollars..	2,500.00
Stock Accountant, twenty-two	
hundred dollars .....	2,200.00
Second Clerk and Paymaster,	
two thousand dollars .....	2,000.00
Third Clerk, eighteen hundred	
dollars .....	1,800.00
Fourth Clerk, sixteen hundred	
dollars .....	1,600.00
Fifth Clerk and Stenographer,	
one thousand dollars.....	1,000.00
Stenographer to Deputy Minis-	
ter, twelve hundred dollars...	1,200.00
Architect and Supt. Public	
Works, three thousand five	
hundred dollars .....	3,500.00
Inspector Heating and Plumb-	
ing, three thousand dollars...	3,000.00
Asst. Superintendent of Public	
Works, two thousand five hun-	
dred dollars .....	2,500.00



Clerk to Superintendent of Public Works, twelve hundred dollars .....	1,200.00	Schedule B— (Continued)
Road Inspector, Districts Outside St. John's, twenty-two hundred dollars .....	2,200.00	
Road Inspector, District St. John's West, sixteen hundred dollars .....	1,600.00	
Road Inspector, District St. John's East, sixteen hundred dollars .....	1,600.00	
Secretary to Minister, one thousand dollars .....	1,000.00	
Clerk and Messenger, nine hundred dollars .....	900.00	
Stenographer and Typist, nine hundred dollars .....	900.00	
	<hr/>	34,300.00

**Contingencies:**

Printing, etc., Post and Telegraphs, Travelling, etc., Advertising, Sundries, nine thousand dollars .....	<hr/>	9,000.00
Insurance on Public Buildings, sixteen thousand, six hundred dollars .....	<hr/>	16,600.00
Fuel and Light, twenty-five thousand dollars .....	<hr/>	25,000.00

**Keepers, Cleaning, Taxes, Etc.**

Government House salaries, nine hundred and twelve dollars .....	912.00
Government House Cleaning, one hundred and twenty dollars .....	120.00

Schedule B—  
(Continued)

Government House Taxes, one hundred and thirty-four dollars .....	134.00
Customs Building Fireman, nine hundred and sixty dollars	960.00
Customs Building Fireman and Keeper King's Wharf Building, six hundred dollars.....	600.00
Customs Building Cleaning, three hundred and thirty-nine dollars .....	339.00
Customs Building Rents and Taxes, seven hundred and six dollars .....	706.00
General Post Office Taxes, one hundred and fifty dollars....	150.00

**Dept. Buildings:**

Keeper and Fireman, twelve hundred dollars .....	1,200.00
Night Watchman, seventy-two dollars .....	72.00
Sundries, eighty-five dollars....	85.00
Cleaning, eleven hundred and thirtyfour dollars .....	1,134.00
Taxes, one hundred and sixty dollars .....	160.00
Telephone Exchange, six hundred and fortyfive dollars.....	645.00
Telephone Exchange (Oper. Salary), seven hundred and twenty dollars .....	720.00

**Museum Building:**

Keeper, one thousand dollars.....	1,000.00
Fireman, ten hundred and thirty-eight dollars .....	1,038.00
Night Watchman, thirty dollars	30.00
Cleaning, eight hundred and thirty-seven dollars .....	837.00

Sundries and Taxes, one hundred and twenty-two dollars	122.00
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Schedule B—  
(Continued)

#### **Stott Building:**

Keeper and Fireman, nine hundred and seventy-five dollars	975.00
Cleaning, etc., eight hundred and twenty-two dollars.....	822.00
Rent, four thousand dollars.....	4,000.00
Taxes, five hundred and seventy-six dollars .....	576.00
Sundries, one hundred dollars..	100.00

#### **Sudbury Building:**

Keeper and Fireman, nine hundred and seventy-five dollars .....	975.00
Cleaning, etc., two hundred dollars .....	200.00
Taxes, one hundred and sixty dollars .....	160.00
Sundries, one hundred dollars..	100.00

#### **Memorial University College:**

Keeper, one thousand one hundred and four dollars.....	1,104.00
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#### **Nfld. War Memorial:**

Keeper, four hundred and fifty dollars .....	450.00
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#### **Government Oil Store:**

Keeper, one thousand dollars...	1,000.00
Sundries and Light, fifty dollars	50.00

#### **Harbor Grace Buildings:**

Fireman-Janitor, Bannerman Street, one hundred and twentythree dollars.....	123.00
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Schedule B—	Caretaker Water Street Build-	
(Continued)	ing, three hundred and sixty-	
	six dollars .....	366.00
	Fireman Water Street Building,	
	four hundred dollars.....	400.00
	Caretaker Water Street Build-	
	ing, forty-two dollars .....	42.00
	Attendance on Clocks, eighty-	
	two dollars .....	82.00
	Sundries, fifty dollars.....	50.00

**Carbonear Building:**

Keeper, two hundred and twen-	
ty-five dollars .....	225.00
Attendance on Clocks, twenty	
dollars .....	20.00
Carbonear Fire Hall, Keeper,	
one hundred and fifty dollars	150.00

**Bay Roberts Building:**

Keeper, six hundred and fifty	
one dollars .....	651.00
Cleaning, fifty dollars....	50.00

**Grand Falls Building:**

Keeper, eight hundred and twen-	
ty-eight dollars .....	828.00
Cleaning, fifty dollars .....	50.00
Water, Sewerage and Rent,	
two hundred dollars.....	200.00

**Channel Building:**

Keeper, two hundred and forty-	
four dollars .....	244.00
Deer Lake Building Fireman,	
forty dollars .....	40.00
Public Building Buchans Water	
and Sewerage, fifty dollars...	50.00
Attendance on Clocks in Public	
Offices, four hundred dollars	400.00

**Corner Brook Building:**Schedule B—  
(Continued)

Keeper, eight hundred and twenty-eight dollars.....	828.00	
Water Rates, fifty dollars.....	50.00	
Cleaning, one hundred dollars	100.00	
<b>Emergency Employment Acct.,</b> Head II., four hundred dollars	400.00	
		<hr/>
		26,825.00

**REPAIRS PUBLIC BUILDINGS.**

Repairs Public Buildings, Heat- ing, Plumbing and Lighting Plants and Grounds, seventy- two thousand five hundred dol- lars .....	<hr/>	72,550.00
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**Head IV.—Administration of Justice--A****Court House, St. John's,**

<b>Engineer, twelve hundred and twenty-four dollars .....</b>	1,224.00
<b>Fireman, nine hundred and twelve dollars .....</b>	912.00
<b>Matron Police Station, three hundred and forty-two dollars</b>	342.00
<b>Cleaning, seventeen hundred and nine dollars.....</b>	1,709.00
<b>Furnishing, three hundred dollars.....</b>	300.00
<b>Dieting Prisoners, one thousand dollars .....</b>	1,000.00
<b>Sundries, one hundred dollars.....</b>	100.00
<b>Attendance on Clocks, three hundred and twenty-five dol- lars .....</b>	325.00
<b>Fuel, four thousand five hun- dred dollars .....</b>	4,500.00
<b>Light, fifteen hundred dollars</b>	1,500.00

Schedule B—	Taxes, two hundred and fifty	
(Continued)	dollar .....	250.00

12,162.00

**Constabulary and Fire Depts:**

Motor Truck Supplies, six hundred dollars .....	600.00
Forage, four thousand dollars.....	4,000.00
Fuel and Light, six thousand and seventy dollars.....	6,070.00
Taxes, three hundred and thirty dollars .....	330.00

11,000.00

**Penitentiary.****Salaries:**

Superintendent, twenty - four hundred dollars .....	2,400.00
Chief Warden, one thousand dollars .....	1,000.00
Second Warden, nine hundred dollars .....	900.00
Trades Warden, ten hundred and fifty-nine dollars.....	1,059.00
Turnkeys, (four), at \$845.00, thirty-three hundred and eighty dollars .....	3,380.00
Turnkeys, (two), at \$740.00, fourteen hundred and eighty dollars .....	1,480.00
Orderly, six hundred and ninety-six dollars .....	696.00
Matron, six hundred and ninety-six dollars .....	696.00
Watchman, seven hundred and seventy-two dollars .....	772.00
Physician to Penitentiary, three hundred and forty-five dollars	345.00
Clerk, eight hundred and twenty dollars .....	820.00



Contingencies:

Schedule B—  
(Continued)

Industries, two thousand five hundred dollars .....	2,500.00
Printing, etc., Telephones, Posts and Telegraphs, Advertising, three hundred and fifty dollars .....	350.00

Maintenance:

Supplies, six thousand dollars...	6,000.00
Fur. and Equip., one thousand dollars .....	1,000.00
Clothing, etc., twelve hundred dollars .....	1,200.00
Drugs, etc., four hundred dollars .....	400.00
Sundries, three hundred dollars	300.00

Fuel and Light:

Fuel and Light, twenty-four hundred dollars .....	2,400.00
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Taxes, one hundred and twenty-five-dollars.....	125.00
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27,823.00

Outport Court Houses and Gaols

Maintenance:

Dieting and Attendance to Prisoners, thirty-five hundred dollars .....	3,500.00
Fur. and Equip., ten hundred and fifty dollars.....	1,050.00
Clothing, etc., five hundred dollars .....	500.00
Drugs, etc., fifty dollars.....	50.00
Sundries, three hundred dollars	300.00
Rentals, fourteen hundred dollars .....	1,400.00

Schedule B— **Fuel and Light:**

(Continued)

Fuel, thirty-six hundred dollars	3,600.00	
		10,400.00
Emergency Employment Acct., Head IV., four hundred dol- lars .....		400.00

**HEAD V.—LEGISLATION****Colonial Building:**

Fuel and Light, thirteen hun- dred dollars .....	1,300.00	
Taxes, one thousand dollars.....	100.00	
		1,400.00

**HEAD VII.—PUBLIC CHARITIES—A.****Hospital for the Insane:**

Resident Physician, thirty-two hundred dollars .....	3,200.00	
Matron, one thousand and eighty dollars .....	1,080.00	
Matron Assistant, seven hun- dred and twenty dollars.....	720.00	
Stenographer and Typist, four hundred and forty dollars.....	440.00	
Two Commissioners at \$230, four hundred and sixty dollars.....	460.00	
One Commissioner and Secre- tary, five hundred and twen- ty-nine dollars .....	529.00	
Head Attendant, one thousand and eighty dollars.....	1,080.00	
Assistant Head Attendant, eight hundred and forty dollars.....	840.00	
Store Keeper, twelve hundred dollars .....	1,200.00	
Carpenter, twelve hundred dol- lars .....	1,200.00	
Gardener, nine hundred and thirty dollars .....	930.00	

Assistant Gardener, seven hundred and twenty dollars.....	720.00
Coachman, six hundred dollars	600.00
Engineer, eleven hundred and seventy dollars.....	1,170.00
Engineer(Bonus), two hundred and forty dollars.....	240.00
Engineer Assistant, eight hundred and thirty-eight dollars and fifty cents .....	838.50
Fireman, eight hundred and thirty-eight dollars and fifty cents .....	838.50
Attendants (15), at \$810, \$780, \$750, \$720, and \$628.25, eleven thousand five hundred dollars	11,500.00
Cook, three hundred and sixty dollars .....	360.00
Asst. Cooks, (three), eight hundred and sixteen dollars..	816.00
Maids (three), six hundred and sixty-eight dollars .....	668.00
Laundresses (4), nine hundred and twenty dollars.....	920.00
Head Nurses, 1 at \$600, 1 at \$540; Nurses, 20, at \$402 \$360, \$300. \$276, \$240, \$216, \$192, according to length of service, seven thousand one hundred dollars .....	7,100.00
To meet annual increase nurses, two hundred and fifty dollars	250.00

### Contingencies:

Printing and Stationery, Telephones, Postage and Telegrams, Cab Hire, Travelling, etc., Sundries, six hundred dollars .....	600.00
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Schedule B—  
(Continued)

Schedule B— **Maintenance:**

(Continued)

Supplies, fifty-four thousand dollars .....	54,000.00	
Furniture and Equip., eleven thousand dollars .....	11,000.00	
Clothing, fourteen thousand dollars .....	14,000.00	
Drugs, etc., three thousand dollars .....	3,000.00	
Sundries, four thousand dollars .....	4,000.00	
Fuel, Light and Taxes, twenty three thousand dollars.....	23,000.00	
		<hr/>
		147,300.00

**General Hospital, Salaries:**

Resident Physician, thirty-eight hundred and fortyfive dollars	3,845.00
House Physician, nine hundred dollars .....	900.00
House Physician Asst., nine hundred dollars....	900.00
Attendant Physicians, one at \$1,150.50, two at \$243.75, three at \$780.00, thirty-nine hundred and seventy-eight dollars	3,978.00
Secretary Board of Governors, twenty-five hundred dollars...	2,500.00
Stenographer Board of Governors, six hundred dollars.....	600.00
Superintendent of Nurses, thirteen hundred dollars.....	1,300.00
Electro - Therapist, twelve hundred dollars .....	1,200.00
Electro-Therapist, two Assts. at \$900, eighteen hundred dollars .....	1,800.00
Electro-Therapist, one Asst., six hundred and sixty dollars	660.00

Schedule B—  
(Continued)

Hospital Secretary, nine hundred dollars .....	900.00
Matron and Dietetian, nine hundred dollars .....	900.00
Night Superintendent, nine hundred and sixty dollars.....	960.00
Storekeeper, fourteen hundred and seventy dollars .....	1,470.00
Orderlies, fourteen hundred and seventy dollars .....	1,470.00
Boy, three hundred dollars.....	300.00
<b>Carpenter, twelve hundred dollars . . . . .</b>	<b>1,200.00</b>
Cook, six hundred and sixteen dollars .....	616.00
Assistant Cook, three hundred and sixty dollars .....	360.00
Head Laundress, five hundred and forty dollars .....	540.00
Laundry Man, three hundred and sixty dollars .....	360.00
Masseur, five hundred dollars.....	500.00
<b>Assistant Laundress, three hundred and sixty dollars.....</b>	<b>360.00</b>
Laundry Maids, 5 at \$204.75, ten hundred and twenty-three dollars and seventy-five cents	1,023.75
<b>Kitchen Maids, 5 at \$204.75, one thousand and twenty-three dollars and seventy-five cents</b>	<b>1,023.75</b>
Ward Maids, 6 at \$204.75, twelve hundred and twenty-eight dollars and fifty cents.....	1,228.50
House Maids, 2 at \$204.75, four hundred and nine dollars and fifty cents .....	409.50
Nurses' Home, four at \$204.75, eight hundred and nineteen dollars .....	819.00

Schedule B— Telephone Girls, 2 at \$300, six  
(Continued)

hundred dollars .....	600.00
Kitchen Attendant, male, seven hundred and twenty dollars	720.00
Night Watchman, seven hun- dred and sixty dollars and fifty cents .....	760.50
<b>Nursing Staff:</b>	
Housekeeper for Nurses' Home, seven hundred and eighty dol- lars.....	780.00
Graduate Nurses (7), \$900, \$780, 2 at \$660, six thousand one hundred and twenty dollars..	6,120.00
Superintendent Operating Room nine hundred and sixty dollars	960.00
Probationers, 36 at \$243.75; \$192, \$144, \$96, according to years of service, six thousand five hundred dollars.....	6,500.00
Engineer (bonus), sixteen hun- dred and twenty dollars.....	1,620.00
Firemen, 3, at \$1002, three thou- sand and six dollars.....	3,006.00
Allowance to Resident Physician, four hundred and eighty- three dollars .....	483.00
Attendant, six hundred and twenty-two dollars .....	622.00

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54,565.00

**Contingencies:**

Printing, Stationery, Tele- phones, Postage and Tele- grams, Cab Hire and Travel- ling, etc., Advertising, Sun- dries, twenty-nine hundred dollars .....	2,900.00
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Maintenance — Supplies, fifty thousand dollars .....	50,000.00
Furniture and Equipment, eight thousand dollars .....	8,000.00
Clothing, etc., four thousand dollars .....	4,000.00
Drugs, Surgical Supplies, nineteen thousand dollars.....	19,000.00
Sundries, four thousand dollars	4,000.00
Fuel and Light (fuel), Light, Taxes, twenty-four thousand dollars .....	24,000.00

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 111,900.00

 Schedule B—  
 (Continued)
**Sanatorium, Salaries:**

Superintendent, thirty-four hundred and fifty dollars .....	3,450.00
Allowance for upkeep horse or motor car, six hundred and ninety dollars .....	690.00
Nursing Superintendent, nine hundred and sixty dollars..	960.00
House Keeper, seven hundred and twenty dollars.....	720.00
Stenographer, seven hundred and fifty dollars.....	750.00
Nursing Sisters and Probationers, three thousand six hundred and seventy-five dollars	3,675.00
Cook, four hundred and eighty dollars .....	480.00
Cook Assistant, two hundred and ninety-four dollars.....	294.00
Maids—3 dining room, 1 General, 1 Kitchen, 4 Laundry, 3 Ward, three thousand and forty-five dollars .....	3,045.00
Storekeeper, twelve hundred dollars .....	1,200.00

Schedule B—	
(Continued)	
Watchman, seven hundred and thirty-two dollars .....	732.00
Carpenter, Sanatorium, twelve hundred dollars .....	1,200.00
Barber, one hundred and twen- ty dollars .....	120.00
Laundry Man, thirteen hundred and ninety-eight dollars.....	1,398.00
Engineer, thirteen hundred and twenty dollars .....	1,320.00
Engineer (bonus), three hun- dred dollars.....	300.00
Firemen (3) 2 General, 1 Laun- dry, twenty-eight hundred and eighty dollars .....	2,880 00
Day Men, (2), at \$735, fourteen hundred and seventy dollars	1,470.00
Seamstress, two hundred and forty dollars .....	240.00
Messenger, eight hundred and forty dollars .....	840.00
Charwoman, two hundred and thirty-four dollars .....	234.00
<b>Dispensary:</b>	
Nurse, six hundred dollars.....	600.00
Charwoman, one hundred and forty-four dollars .....	144.00
Board and Allowance District Nurse, one hundred and twenty dollars .....	120.00
<b>Contingencies:</b>	
Printing, etc. ....	
Telephones, Posts and Tels.....	
Cab Hire, Travelling, etc.....	
Advertising .....	
Sundries .....	
six hundred dollars.....	600.00

**Maintenance:**Schedule B—  
(Continued)

Supplies, forty thousand dollars	40,000.00
Fur. and Equip., four thousand dollars .....	4,000.00
Clothing, etc., one thousand six hundred dollars .....	1,600.00
Drugs, etc., seven thousand eight hundred dollars.....	7,800.00
Sundries, two thousand dollars	2,000.00
Dispensary, one thousand dollars .....	1,000.00
Outport Tuberculosis Campaign, two thousand dollars .....	2,000.00

**Fuel and Light:**

Fuel, Light and Taxes, eleven thousand dollars.....	11,000.00
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 96,862.00
**Poor Asylum:**

Superintendent, sixteen hundred dollars .....	1,600.00
Storekeeper, fifteen hundred dollars .....	1,500.00
Chief Attendant, nine hundred and sixty dollars .....	960.00
Second Attendant, eight hundred and seventy dollars.....	870.00
Third Attendant, eight hundred and fifty dollars.....	850.00
Fourth Attendant, seven hundred and eighty-six dollars...	786.00
Attendant, seventy-two dollars..	72.00
Recorder, eight hundred dollars	800.00
Carpenter, eight hundred and forty-five dollars .....	845.00
Night Watchman, eight hundred dollars .....	800.00
Staff Nurse in charge of Infirmary, nine hundred dollars.....	900.00

Schedule B—  
(Continued)

Laundry Attendants, 2 at \$60, one hundred and twenty dol- lars.....	120.00
Night Nurse, five hundred and fifty dollars .....	550.00
Asst. Nurse, five hundred and fifty dollars .....	550.00
Probation Nurse, one hundred and fifty dollars .....	150.00
Chief Female Attendant, six hundred dollars .....	600.00
Staff Cook, four hundred dollars	400.00
Patients' Cook, three hundred dollars .....	300.00
Patients' Asst. Cook, three hun- dred and twenty dollars.....	320.00
Female Attendants, twenty-two hundred and ninety-six dollars	2,296.00
Additional Credit for re-adjust- ment purposes, two hundred and fifty dollars.....	250.00
Attendant, eight hundred dollars	800.00
Fireman, eight hundred and thirty-eight dollars and fifty cents .....	838.50

**Contingencies:**

Printing, etc., three hundred dollars .....	300.00
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**Maintenance:**

Supplies, twenty-six thousand dollars .....	26,000.00
Furn. and Equip., five thousand dollars .....	5,000.00
Clothing, six thousand dollars	6,000.00
Drugs, etc., one thousand dollars	1,000.00
Sundries, one thousand dollars	1,000.00

**Fuel and Light:**Schedule A—  
(Continued)

Fuel, Light and Taxes, four thousand seven hundred dol- lars .....	4,700.00
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 60,957.50
**Fever Hospital, Salaries:**

Matron, thirteen hundred dollars	1,300.00
Attendant Physician, seven hundred and eighty dollars	780.00

Messenger, nine hundred and fifty-eight dollars and fifty cents .....	958.50
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Firemen, 2 at \$838.50, sixteen hundred and seventy-seven dollars .....	1,677.00
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Watchman, eight hundred and thirty-eight dollars and fifty cents .....	838.50
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Nurses (4), at \$780 each, three thousand one hundred and twenty dollars .....	3,120.00
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Staff Nurses, 5 at \$526.50, two thousand six hundred and thirty-two dollars and fifty cents .....	2,632.50
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Nurse, four hundred and twenty dollars .....	420.00
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Housemaid, two hundred and ninety-two dollars and fifty cents .....	292.50
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Wardmaids, 2 at \$292.50, five hundred and eighty-five dol- lars .....	585.00
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Laundry Maids, one at \$468, one at \$292.50, seven hundred and sixty dollars and fifty cents .....	760.50
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Schedule B— (Continued)	Cook, five hundred and twenty-six dollars and fifty cents...	526.50
	Cook Assistant, two hundred and ninety-two dollars and fifty cents .....	292.50
	General Purpose Man, nine hundred and fifty-eight dollars and fifty cents.....	958.50

**Contingencies:**

Printing, Telephones, Post and Tels., Cab Hire, Travelling, etc., Advertising, Sundries, one hundred and seventy dollars .....	170.00
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**Maintenance:**

Supplies, fourteen thousand dollars .....	14,000.00
Furn. and Equip., twenty-five hundred dollars .....	2,500.00
Clothing, etc., nine hundred dollars .....	900.00
Drugs, etc., four thousand dollars .....	4,000.00
Sundries, eight hundred dollars .....	800.00
Fuel, Light and Taxes, six thousand dollars .....	6,000.00
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	43,512.00
Emergency Employment Account, Head VII., thirty-one hundred and fifty dollars.....	<hr/>
	3,150.00
	<hr/>
	\$765,706.50
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## HEAD X.—ROADS, BRIDGES AND FERRIES

Schedule B—  
(Continued)**Roads—Local, viz.:**

District of White Bay, eighteen hundred and sixty-seven dollars .....	1,867.00
District of Green Bay, two thousand and twelve dollars.....	2,012.00
District of Grand Falls, two thousand and thirteen dollars .....	2,013.00
District of Lewisporte, sixteen hundred and fifty-two dollars .....	1,652.00
District of Twillingate, eighteen hundred and thirty-seven dollars .....	1,837.00
District of Fogo, two thousand and eighty-eight dollars.....	2,088.00
District of Bonavista North, twenty-three hundred and twenty-eight dollars .....	2,328.00
District of Bonavista Centre, two thousand and forty-four dollars .....	2,044.00
District of Bonavista South, seventeen hundred and twenty-seven dollars .....	1,727.00
District of Bonavista East, twenty-four hundred and twenty-three dollars .....	2,423.00
District of Trinity North, eighteen hundred and twenty-five dollars .....	1,825.00
District of Trinity Centre, seventeen hundred and eighty dollars .....	1,780.00
District of Trinity South, two thousand and twenty-one dollars .....	2,021.00

Schedule B— (Continued)	District of Bay de Verde, twenty-two hundred and fifty-eight dollars .....	2,258.00
	District of Carbonear, twenty-one hundred and sixty-four dollars .....	2,164.00
	District of Hr. Grace, fifteen hundred and ninety-six dollars .....	1,596.00
	District of Bay Roberts, sixteen hundred and seventy-three dollars .....	1,673.00
	District of Port de Grave, eighteen hundred and sixty-eight dollars .....	1,868.00
	District of Harbour Main, twenty-six hundred and sixty-four dollars .....	2,664.00
	District of Bell Island, twelve hundred and forty-five dollars .....	1,245.00
	District of St. John's East, sixteen hundred and fifteen dollars .....	1,615.00
	District of St. John's City (East), forty-nine hundred and fifty-six dollars.....	4,956.00
	District of St. John's (West), fifty-three hundred and ten dollars .....	5,310.00
	District of St. John' West, seventeen hundred and sixty nine dollars .....	1,769.00
	District of Ferryland, seventeen hundred and sixteen dollars .....	1,716.00
	District of St. Mary's, thirteen hundred and seventy dollars .....	1,370.00
	District of Placentia East, fourteen hundred and thirty-five dollars .....	1,435.00

Schedule B—  
(Continued)

District of Placentia West, nineteen hundred and twenty dollars .....	1,920.00
District of Burin East, two thousand and nineteen dollars .....	2,019.00
District of Burin West, seventeen hundred and sixty-seven dollars .....	1,767.00
District of Fortune Bay, two thousand and twenty-three dollars .....	2,023.00
District of Hermitage, fourteen hundred and forty dollars.....	1,440.00
District of Burgeo, two thousand and fifteen dollars.....	2,015.00
District of St. George, fourteen hundred and forty-six dollars .....	1,446.00
District of Port au Port, one thousand and seventy-four dollars .....	1,074.00
District of Humber, thirteen hundred and fifty-five dollars .....	1,355.00
District of St. Barbe, sixteen hundred and eight dollars.....	1,608.00
District of Labrador, one thousand and seventy-seven dollars .....	1,077.00

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 75,000.00
**(a) Main Roads:**

Roads in the District of White Bay, fourteen hundred and thirty dollars .....	1,430.00
Roads in the District of St. Barbe, twelve hundred and forty dollars .....	1,240.00
Shoe Cove to La Scie, one hundred and twenty dollars....	120.00
Round Harbor to Tilt Cove, ninety dollars .....	90.00

Schedule B—	
(Continued)	
Round Harbor to Snook's Arm, ninety dollars .....	99.00
Portugal Cove to Cape Race, six hundred dollars.....	600.00
Snook's Arm to Bett's Cove, sixty dollars .....	60.00
Bett's Cove to Rouge Harbor, one hundred and eight dollars	108.00
Rouge Harbor to North West Arm, seventy-eight dollars..	78.00
Little Bay Mines towards Indi- an Brook, six hundred dollars	600.00
Jackson's Cove to King's Cove, one hundred and twenty dol- lars .....	120.00
Jackson's Cove to Birchy Cove and Colchester, seventy-eight dollars .....	78.00
Southern Hr. to Little Bay Is- lands to Sulian's Cove, sixty dollars .....	60.00
Lush's Bight to Ward's Harbor, one hundred and twenty dol- lars .....	120.00
Fortune Harbor to Cottrell Cove, one hundred and twen- ty dollars .....	120.00
New Bay Head to Fortune Har- bor, forty-eight dollars .....	48.00
Black Island Tickle to Keir's Cove, sixty-eight dollars and forty cents .....	68.40
Exploits to Sergeant's Cove, forty-eight dollars .....	48.00
Moreton's Harbor to Change Hr., seventy-two dollars....	72.00
Moreton's Harbor to Western Head, one hundred and thir- ty-eight dollars .....	138.00

Schedule B—  
(Continued)

Tizzard's Harbor to Carter's Cove, one hundred and twenty dollars .....	120.00
Tizzard's Harbor to Moreton's Harbor, one hundred and twenty dollars .....	120.00
Jenkin's Cove to French Beach, sixty dollars .....	60.00
Rink Road, leading from Congregational Church to Bluff Head Cove, one hundred and twenty dollars .....	120.00
Twillingate to Bluff Head, sixty dollars .....	60.00
Gillard's Cove, round Kettle Cove, connecting Purcell's Harbor, two hundred and seventy-six dollars .....	276.00
Lowland Cove to Main Line, twenty-four dollars .....	24.00
Shoal Bay to Fogo, ninety dollars .....	90.00
Little Hr. to Purcell's Hr. across Marsh, sixty dollars..	60.00
Little Hr. to Jones' Cove, thirty-six dollars .....	36.00
Durrell's Arm to Codjack's Cove, thirty-six dollars .....	36.00
Twillingate to Little Harbor, one hundred and twenty dollars .....	120.00
Twillingate to Long Point, sixty dollars .....	60.00
Campbellton to Michael's Hr., one hundred and twenty dollars .....	120.00
Herring Neck to Merritt's Hr., one hundred and twenty dollars .....	120.00

Schedule B—	Pike's Arm to Cobb's Arm, one	
(Continued)	hundred and twenty dollars	120.00
	Hare Bay to Fogo, ninety dollars	90.00
	Barr'd Island to Fogo Road,	
	two hundred and thirteen dol-	
	lars and sixty cents.....	213.60
	Tilting to Joe Batt's Arm (half	
	way), one hundred and for-	
	ty-four dollars .....	144.00
	Seldom Come By to Fogo, three	
	hundred and ninety-two dol-	
	lars and forty cents.....	392.40
	Rocky Bay to Gander Bay, eigh-	
	ty-eight dollars and eighty	
	cents .....	88.80
	North Side Ragged Hr to North	
	Side Apsey Cove, one hun-	
	dred and twenty dollars....	120.00
	Lumsden to Musgrave Har-	
	bor, two hundred and forty	
	dollars .....	240.00
	Cape Freels to Lumsden, one	
	hundred and twenty dollars	120.00
	Greenspond to Cape Freels,	
	eight hundred and forty dol-	
	lars .....	840.00
	Shambler's Cove to New Hr.	
	and Indian Bay, one hundred	
	and twenty dollars.....	120.00
	Shambler's Cove to Loo Cove,	
	one hundred and twenty dol-	
	lars .....	120.00
	Greenspond to English Harbor,	
	or on landing place near Eng-	
	lish Harbor, one hundred and	
	eighty dollars .....	180.00
	Salvage Bay to Squid Tickle,	
	sixty dollars .....	60.00



Schedule B—  
(Continued)

Salvage Bay to Happy Adventure, one hundred and twenty dollars .....	120.00
Salvage Bay to Alexander Bay, sixty dollars .....	60.00
Southern Bay to Goose Bay, sixty dollars .....	60.00
Plate Cove to Shoal Harbor, nine hundred dollars .....	900.00
Southern Bay to Goose Bay, via Sweet Bay, two hundred and forty dollars .....	240.00
Riverhead, Southern Bay, towards Muddy Bay, one hundred and twenty dollars....	120.00
Trinity to Indian Arm, Southern Arm, four hundred and eighty dollars .....	480.00
Plate Cove towards Brown's Marsh, one hundred and fifty dollars .....	150.00
Open Hall towards Brown's Marsh, one hundred and twenty dollars .....	120.00
Brown's Marsh towards King's Cove, one hundred and fifty dollars .....	150.00
Tickle Cove to Plate Cove, two hundred and forty dollars..	240.00
King's Cove to Tickle Cove, two hundred and forty dollars..	240.00
Trinity to King's Cove, nine hundred and sixty dollars..	960.00
King's Cove to Bonavista, six hundred dollars .....	600.00
Amherst Cove to Catalina, three hundred and sixty dollars...	360.00
Bonavista to Catalina, four hundred and ninety-two dollars..	492.00

Schedule B— (Continued)	Bonavista to Elliston, one hundred and twenty dollars....	120.00
	Catalina to Elliston, two hundred and forty dollars.....	240.00
	Catalina to Little Catalina, sixty dollars .....	60.00
	Trinity to Catalina, eleven hundred and four dollars.....	1,104.00
	Trinity to Pope's Harbor, six hundred dollars .....	600.00
	Heart's Ease to Butter Cove, seventy-two dollars .....	72.00
	Hickman's Harbor to Britannia Cove, one hundred and forty-four dollars .....	144.00
	Dildo to Chance Cove, eight hundred and forty dollars....	840.00
	New Harbor to South Dildo, one hundred and twenty dollars	120.00
	New Harbor to Broad Cove Station, two hundred and forty dollars .....	240.00
	New Harbor to Heart's Content, ten hundred and eighty dollars .....	1,080.00
	New Harbor to Spaniard's Bay, three hundred and ninety-six dollars .....	396.00
	Flower Road, one thousand and eighty dollars .....	1,080.00
	Whitbourne Roads, four hundred and eighty dollars....	480.00
	Colinet towards Hodge Water, fourteen hundred and forty dollars .....	1,440.00
	Whitbourne to South Dildo, four hundred and eighty dollars .....	480.00

Schedule B—  
(Continued)

Carbonear to Heart's Delight, two hundred and forty dol- lars .....	240.00
Carbonear to New Perlican, fourteen hundred and forty dollars .....	1,446.00
New Perlican to Lead Cove, nine hundred and thirty dol- lars .....	930.00
Lead Cove to Grate's Cove, three hundred and ninety dollars..	390.00
Old Perlican to Lower Island Cove, four hundred and eighty dollars .....	480.00
Old Perlican to Bay de Verde, two hundred and forty dol- lars .....	240.00
Grate's Cove to Bay de Verde, two hundred and forty dol- lars .....	240.00
Bay de Verde to Red Head Cove, one hundred and twen- ty dollars .....	120.00
Carbonear to Bay de Verde, fifteen hundred dollars .....	1,500.00
Carbonear to Perry's Cove, via Freshwater, one hundred and twenty dollars .....	120.00
Brigus to Carbonear, twelve hundred dollars .....	1,200.00
Upper Island Cove to Harbor Grace, two hundred and for- ty dollars .....	240.00
Upper Island Cove to Tilton, one hundred and fifty-six dol- lars .....	156.00
Tilton to Brazil's Hill, sixty dollars .....	60.00

Schedule B— Tilton to Spaniard's Bay, one  
(Continued)

hundred and forty-four dollars .....	144.00
Spaniard's Bay to Bishop's Cove, two hundred and forty dollars .....	240.00
Central Road, Bay Roberts, seven hundred and twenty dollars .....	720.00
Road to Point, Bay Roberts, two hundred and forty dollars .....	240.00
Agricultural Road, Coley's Point, four hundred and eighty dollars .....	480.00
Hallstown to Snow's Pond, two hundred and forty dollars..	240.00
South Pond Road, Brigus, two hundred and forty dollars..	240.00
City Limits to Portugal Cove, six hundred dollars .....	600.00
City Limits to Cape St. Francis, eight hundred and forty dollars .....	840.00
City Limits to Quigley's, two hundred and forty dollars...	240.00
Thorburn Road, one hundred and twenty dollars.....	120.00
Kenmount to Topsail, three hundred and sixty dollars.....	360.00
City Limits to Fort Amherst, five hundred and sixteen dollars .....	516.00
City Limits to Waterford Bridge, two hundred and sixty-two dollars and eighty cents .....	262.80
Roach's Pond, Cupids, three hundred dollars .....	300.00

		Schedule B— (Continued)
Brigus Main Line to Nine Is. Pond, one hundred and eighty dollars .....	180.00	
Goulds and on Long Hr. Road, one hundred and eighty dollars .....	180.00	
Goulds and on Turk's Water Road, six hundred dollars...	600.00	
Quigley's to Brigus, eighteen hundred dollars .....	1,800.00	
Conception Hr., Collier's and Bacon Cove, one hundred and eighty dollars .....	180.00	
Salmon Cove to Gaskiers, one hundred and twenty dollars	120.00	
Holyrood through Seal Cove, one hundred and twenty dollars.....	120.00	
Manuel's to Price's, one hundred and twenty dollars....	120.00	
Holyrood to Witless Bay, seven hundred and eighty dollars	780.00	
Horse Cove to Topsail, ninety dollars .....	90.00	
Portugal Cove to Pouch Cove, via Bauline, three hundred and sixty dollars.....	360.00	
Torbay to Bauline, six hundred dollars .....	600.00	
City Limits to Cape Spear, three hundred and sixty dollars..	360.00	
Old Placentia to Topsail Road, two hundred and forty dollars .....	240.00	
Goulds to Renew's, fourteen hundred and forty dollars..	1,440.00	
City Limits to Goulds, six hundred dollars .....	600.00	

Schedule B—	Trepassey to Renew's, twelve	
(Continued)	hundred dollars . . . . .	1,200.00
	Holyrood to Halfway House,	
	six hundred dollars . . . . .	600.00
	Halfway House to Hurley's	
	Bridge, six hundred dollars	600.00
	Placentia to Hurley's Bridge,	
	four hundred and twenty dol-	
	lars . . . . .	420.00
	Hurley's Bridge to Salmonier,	
	one hundred and eighty dol-	
	lars . . . . .	180.00
	Placentia to Little Placentia	
	and Fox Harbor, four hun-	
	dred and eighty dollars . . .	480.00
	Little Placentia towards Long	
	Harbor, one hundred and	
	twenty dollars . . . . .	120.00
	Villa Marie to Fox Hr., three	
	hundred dollars . . . . .	300.00
	Placentia to Cape Shore, twelve	
	hundred dollars . . . . .	1,200.00
	Branch to St. Bride's, six hun-	
	dred dollars . . . . .	600.00
	Trepassey to Doran's, three hun-	
	dred dollars . . . . .	300.00
	Trepassey to St. Shott's and	
	Cape Pine, four hundred and	
	twenty dollars . . . . .	420.00
	St. Vincent to St. Mary's, two	
	hundred and forty dollars . .	240.00
	Riverhead to Mall Bay, nine-	
	ty-six dollars . . . . .	96.00
	Paradise to Clattice Hr., six	
	hundred dollars . . . . .	600.00
	Salmonier to St. Mary's, eight	
	hundred and forty dollars . .	840.00
	Western Shore. Placentia, three	
	hundred and sixty dollars . . .	360.00



St. Leonard's to Clattice Hr., three hundred dollars .....	300.00
Burin East Roads, eighteen hun- dred and eighty-five dollars.....	1,885.00
Burin West Roads, sixteen hun- dred and fifty dollars.....	1,650.00
Baine Hr. to Bay L'Argent, Baine Hr. End, five hundred and ten dollars .....	510.00
Baine Hr. to Rushoon, one hun- dred and eighty dollars.....	180.00
Fortune Bay Roads, eighteen hundred and eighty-eight dol- lars .....	1,888.00
Hermitage Roads, thirteen hun- dred and fifty dollars.....	1,350.00
Burgeon and LaPoile Roads, eighteen hundred and eighty dollars .....	1,880.00
District of St. George Roads, thirteen hundred and fifty dollars .....	1,350.00
District of Port au Port Roads, one thousand and two dollars	1,002.00
District of Humber Roads, twelve hundred and sixty-five dollars .....	1,265.00
Channel to Grand River, six hundred dollars .....	600.00
Friday's Bay to Summerford, one hundred and twenty dol- lars .....	120.00
Bridgeport to Little Chance Harbour, sixty dollars .....	60.00
Cottle's Island to Summerford, one hundred and twenty dol- lars .....	120.00
Lewisporte to Stanhope, one hundred and twenty dollars	120.00

Schedule B—  
(Continued)

Schedule B—	Loon Bay to Campbellton, one	
(Continued)	hundred and twenty dollars	120.00
	Northern Hr. to Fortune Hr.,	
	ninety-six dollars . . . . .	96.00
	Point Leamington to Botwood,	
	two hundred and forty dol-	
	lars . . . . .	240.00
	Hind's Harbor to Cull Harbor,	
	one hundred and twenty dol-	
	lars . . . . .	120.00
	Little Bay to Wild Bight, one	
	hundred and twenty dollars	120.00
	Botwood, Bishop's Falls to	
	Grand Falls, fifteen hundred	
	dollars . . . . .	1,500.00
	Deer Lake to Bonne Bay, eigh-	
	teen hundred dollars . . . . .	1,800.00
	Badger to Hall's Bay, eighteen	
	hundred dollars . . . . .	1,800.00
	Burgoyne's Cove to George's	
	Brook, one thousand dollars . .	1,000.00
	Ireland's Eye to Ivanhoe, one	
	hundred dollars . . . . .	100.00
	Tilting to Cape Cove, one hun-	
	dred and fifty dollars . . . . .	150.00
	Gander Bay to Victoria Cove,	
	one hundred and fifty dollars	150.00
	Fogo to Seldom Come By, two	
	hundred dollars . . . . .	200.00
	Baine Hr., Bay L'Argent Road,	
	Bay L'Argent end, five hun-	
	dred dollars . . . . .	500.00
	Benoit's Cove - Humbermouth	
	Roads, one thousand dollars . .	1,000.00
		<hr/>
		75,748.00

**(b) Railway Connecting Roads:**

Long Hr. Crossing to Dildo  
(four miles), Long Harbor to

Schedule B—  
(Continued)

Placentia Bay (3 1-2 miles), three hundred dollars .....	300.00	
Arnold's Cove Road, one hun- dred and twenty dollars.....	120.00	
Come-by-Chance, one hundred and twenty dollars.....	120.00	
Alexander Bay Station to Glov- ertown (4 miles), two hun- dred and forty dollars...	240.00	
Burin Road (Burin through Corbin, St. Lawrence, Lama- line, High Beach, Lories, Fortune, Grand Bank thence to Garnish) sixteen hundred and eighty dollars .....	1,680.00	
Bay Bulls to Lighthouse, six hundred dollars .....	600.00	
	<hr/>	3,060.00
Roads, Bridges and Public Works, twenty thousand dol- lars (special grant) .....	<hr/>	20,000.00

**Keepers Halfway Houses, Salaries:**

Salmonier Road, two hundred and two dollars and fifty cents .....	202.50	
Heart's Content - Carbonear, three hundred and fifty dol- lars .....	350.00	
Renews-Trepassey, fifty dollars	50.00	
Catalina-Bonavista, three hun- dred and seventy-five dol- lars .....	375.00	
Point Roti-Fortune Bay, three hundred dollars .....	300.00	
Repairs and Upkeep, two hun- dred and fifty dollars.....	250.00	
	<hr/>	1,527.50

Schedule B—  
(Continued)

**Lighting St. John's Streets:**

Payable to St. John's Municipal Council in aid of Lighting St. John's Streets, eight thousand dollars .....	8,000.00
Payable to St. John's Municipal Council in aid of lighting South Side Roads, half cost, two hundred and fifty dollars .....	250.00

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8,250.00

**Ferries (Ordinary)—Salaries—**

Forteau River, Labrador, fifty dollars .....	50.00
Lance au Loup, Labrador, fifty dollars .....	50.00
Pinware, Labrador, sixty dollars .....	60.00
Goose Cove, fifty dollars.....	50.00
Parsons Pond, eighty dollars....	80.00
St. Barbe's Bay, eighty dollars	80.00
Big Brook, thirty dollars.....	30.00
Across Fortune Harbor, forty dollars .....	40.00
Gander Bay, two hundred and fifty dollars .....	250.00
Change Islands, North to South Main Tackles, three hundred dollars .....	300.00
Indian Island, two hundred and fifty dollars .....	250.00
Ragged Harbor, N. to S., or Musgrave Harbor, two hundred and eighty dollars.....	280.00
Deadman's Bay to Ragged Harbor, two hundred and twenty-five dollars .....	225.00

Schedule B—  
(Continued)

Newtown to Pinchard's Island, one hundred and seventy-five dollars .....	175.00
Lumsden, Windmill Brook to End, two hundred dollars ....	200.00
Swain's Island to Wesleyville, one hundred and eighty dol- lars .....	180.00
Tinker's Island and Main Land to Pool's Island, one hundred and fifty dollars .....	150.00
S. W. Arm and Poole's Is. (Safe Hr. to Valleyfield), one hundred and fifty dollars	150.00
Southwest Arm, Pool's Island, one hundred and twenty dol- lars .....	120.00
Loo Cove, one hundred and fifty dollars .....	150.00
Shambler's Cove to Greenspond and Loo Cove, two hundred and fifty dollars .....	250.00
Ship Island to Greenspond, one hundred and eighty dollars..	180.00
Newell's Island to Ship Island, two hundred dollars .....	200.00
Fair and Paul's Islands and Sydney Cove, one hundred dollars .....	100.00
Sydney Cove, Round Harbor to Paul's Cove, one hundred dollars .....	100.00
Bragg's Island, fifty dollars.....	50.00
Britannia Cove to Burgoyne's Cove, six hundred and fifty- five dollars .....	655.00
Snook's Harbor to Foster's Point, etc., two hundred dol- lars .....	200.00

Schedule B—	Gooseberry Islands, three hundred dollars .....	300.00
(Continued)	S. W. Arm, Random, Little Heart's Ease to Hillview, two hundred dollars .....	200.00
	Little Heart's Ease, S.W. Arm, Random, \$45 per month (open season), three hundred and fifteen dollars .....	315.00
	Bellevue, one hundred and twenty-five dollars .....	125.00
	Chapel's Cove to Duff's, seventy-five dollars .....	75.00
	Kitchuses to South Shore, C.B., fifty dollars .....	50.00
	Aquaforte to Fermeuse, one hundred and forty dollars.....	140.00
	St. Vincent to Peter's River, four hundred and fifty dollars	450.00
	Peter's River, forty dollars..	40.00
	Riverhead St. Mary's to North Side, one hundred and twenty dollars .....	120.00
	North Harbour, near Colinet, one hundred dollars .....	100.00
	Tracadia Sound, three hundred dollars .....	300.00
	Woody Island to Sound Island, thirty-six dollars .....	36.00
	Flat Island to Davis Island, five hundred dollars .....	500.00
	Little Bay, Mortier Bay, three hundred dollars .....	300.00
	Little Bay to Spanish Room, one hundred and five dollars	105.00
	Marystown, North to South Side, two men, \$540 each, one one thousand and eighty dollars .....	1,080.00



Schedule B—  
(Continued)

End Farwell's Road (Horse and Cattle Ferry), fifty dollars..	50.00
Creston, Mortier Bay, four hundred dollars .....	400.00
English Harbor East, seventy-five dollars .....	75.00
Doctor's Harbor to Lally Cove, one hundred dollars.....	100.00
Bay du Nord, seventy dollars..	70.00
Coomb's Cove to Little Bay, one hundred and ten dollars....	110.00
Little Bay to Coomb's Cove, one hundred dollars.....	100.00
Harbor Breton to Hermitage Cove, one hundred and forty dollars .....	140.00
LaPoile across Little Harbor, eighty-five dollars.....	85.00
Fox Island River, one hundred dollars .....	100.00
Across La Poile, two hundred and fifty dollars .....	250.00
LaPlante Harbor, ninety dollars .....	90.00
Burnt Is. to N. W. Point, seventy-five dollars .....	75.00
Rose Blanche to Petites, fifty dollars .....	50.00
Little River, Codroy, South to North Side, two hundred dollars .....	200.00
Grand Bay to Port aux Basques, three hundred and sixty dollars .....	360.00
Codroy Grand River, South to North Side Gut, four hundred dollars .....	400.00
Codroy, Doyle's Station, one hundred and fifty dollars....	150.00

Schedule B— (Continued)	Codroy Grand River, South to North Side, two hundred and twenty-five dollars .....	225.00
	Highland's River, one hundred dollars .....	100.00
	Crabbe's River, one hundred dollars .....	100.00
	Middle Barachois River, one hundred and fifty dollars...	150.00
	Robinson's Head River, one hun- dred and seventy-five dollars	175.00
	Fischell's River, sixty dollars..	60.00
	Flat Bay River, one hundred dollars .....	100.00
	Admiral's Beach to Colinet Is. and Mother Rex to Admiral's Beach, two hundred and fifty dollars .....	250.00
	New Harbor to Rencontre, one hundred and fifty dollars....	150.00
	Finlay's Cove to Hardy's Cove, one hundred dollars .....	100.00
	Mussel Pond, across to St. Jos- eph's, seventy-five dollars....	75.00
	Sandy Point, North to South Side, ninety dollars .....	90.00
	Baker's Brook, eighty dollars....	80.00
	St. Paul's River, eighty dollars	80.00
	Portland Creek, eighty dollars	80.00
	River of Ponds, eighty dollars	80.00
	Middle Pinchard's Island to Newtown, B.B., two hundred dollars .....	200.00
	St. Kyran's, one hundred and twenty dollars .....	120.00
	N. W. Clattice Hr., one hun- dred and twenty dollars .....	120.00
	Carmanville across Harbour, twenty-five dollars .....	25.00

Horwood N. to Horwood S., one hundred and fifty dollars.....	150.00	
Burnt Island to North West Point, fifty dollars.....	50.00	
LaPlante Harbour, sixty dollars	60.00	
LaPoile to North and East Bay, twenty-five dollars .....	25.00	
Ferry Maintenance, fourteen hundred dollars .....		1,400.00
		14,291.00

Schedule B—  
(Continued)

### Ferries (Motor Services):

#### Salaries:

Bay Roberts to Coley's Point, six hundred dollars .....	600.00	
Wandsworth, Burin Bay, one thousand two hundred and fifty dollars .....	1,250.00	
Bonne Bay, fifteen hundred and fifty dollars .....	1,550.00	
Leading Tickle, one hundred and fifty dollars .....	150.00	
Norris' Arm, Gill's Point, Burnt Arm to Laurenceton, calling at Philip's Head, six hundred dollars .....	600.00	
Newtown to Gambo, three thousand five hundred dollars.....	3,500.00	
Sweet Bay to Southern Bay, calling at Charleston, two hundred dollars .....	200.00	
Trinity East to Trinity, ten hundred and fifty dollars.....	1,050.00	
South West Arm, Trinity, nine hundred dollars .....	900.00	
Elliott's Cove to Clarendville, one thousand two hundred dollars	1,200.00	
Harbor Grace, twenty-two hundred and fifty dollars.....	2,250.00	

Schedule B—	<b>Salmonier, one thousand dollars</b>	1,000.00
(Continued)	<b>West Side to Trepassey, six hundred dollars .....</b>	600.00
	<b>Placentia, three thousand six hundred dollars .....</b>	3,600.00
	<b>Burin Harbor, fifteen hundred dollars .....</b>	1,500.00
	<b>Jersey Hr., N. to S., thence to Hr. Breton six hundred dollars .....</b>	600.00
	<b>Bay D'Espoir, nine hundred dollars .....</b>	900.00
	<b>St. George's to Sandy Point, two thousand dollars .....</b>	2,000.00
	<b>Curling, twenty-three hundred dollars .....</b>	2,300.00
	<b>Bay D'Leau, five hundred dollars</b>	500.00
	<b>Bay du Nord, twelve hundred dollars .....</b>	1,200.00
	<b>Fortune Bay, eighteen hundred dollars .....</b>	1,800.00
		<hr/>
		29,250.00

#### Telephone Booths—Rentals.

##### St. John's East:

Flatrock, twenty dollars..... 20.00

##### St. John's West:

St. Phillip's, fifty dollars..... 50.00

Maddock Cove, thirty dollars.... 30.00

Petty Harbor, fifty dollars.... 50.00

Emergency Employment, Head

X. Account, two hundred dollars .....

200.00

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350.00

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\$228,876.50

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## HEAD II.—POSTS AND TELEGRAPHS.

Schedule B—  
(Continued)**Vote 1—Administration**

The Deputy Head, thirty-six hundred dollars .....	3,600.00
Assistant Deputy and Secretary, twenty-five hundred dollars.....	2,500.00
Inspector, twenty-two hundred dollars .....	2,200.00
Enquiry Clerk, fifteen hundred dollars .....	1,500.00
Postal and Telegraph Ledger, twelve hundred dollars .....	1,200.00
General Ledger, twelve hundred dollars .....	1,200.00
Stenographer and Typist, one thousand dollars .....	1,000.00
Stenographer and Typist, seven hundred and twenty dollars	720.00
Chief Clerk and Accountant, twenty-four hundred dollars..	2,400.00
Customs Ledger, one thousand one hundred dollars .....	1,100.00
Cashier, eighteen hundred dollars .....	1,800.00
Clerk to Cashier, seven hundred and twenty dollars.....	720.00
Expenditure Clerk, one thousand and dollars .....	1,000.00
Asst. Expenditure Clerk and Stenographer, seven hundred and twenty dollars .....	720.00
Stenographer, six hundred and sixty dollars .....	660.00
Travelling Auditor and Statistical Clerk, eighteen hundred dollars .....	1,800.00
Asst. Travelling Auditor and Clerk, fifteen hundred dollars	1,500.00

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 25,620.00

Schedule B—  
(Continued)

**Vote 2—Money Order Branch:**

Superintendent, twenty-one hundred and sixty dollars.....	2,160.00
Statistical Clerk, fourteen hundred dollars .....	1,400.00
Second Clerk, twelve hundred dollars .....	1,200.00
Third Clerk, twelve hundred dollars .....	1,200.00
Fourth Clerk, five hundred and forty dollars .....	540.00
Fifth Clerk, four hundred and eighty dollars .....	480.00
Stenographer, six hundred and sixty dollars .....	660.00
	<hr/>
	7,640.00

**Vote 3—Stamp and Dead Letter Branch:**

Stamp Clerk, eighteen hundred dollars .....	1,800.00
Clerk in Charge of Records, Dead Letters and Misdirected Parcels, twelve hundred and sixty dollars .....	1,260.00
Asst. Dead Letter Clerk, seven hundred and twenty dollars...	720.00
	<hr/>
	3,780.00

**Vote 4—Parcel Post Department.**

Surveyor, fifteen hundred dollars .....	1,500.00
Customs Entry Clerk, fourteen hundred dollars .....	1,400.00
	<hr/>
	2,900.00

**Vote 5—Registration:**

Senior Clerk, sixteen hundred dollars .....	1,600.00
Junior Clerk, thirteen hundred dollars .....	1,300.00
	<hr/>
	2,900.00



Storekeeper, eighteen hundred dollars .....	1,800.00
Storekeeper Assistant, nine hun- dred and sixty dollars.....	960.00

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 2,760.00
**Vote 7—Overtime:**

Overtime, seventeen hundred and fifty dollars .....	1,750.00
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**St. John's Office—Vote 8:**

The Postmaster, twenty-five hundred dollars .....	2,500.00
Stenographer, six hundred dol- lars .....	600.00

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 3,100.00
**Vote 9—Money Order Office:**

Clerk in Charge, sixteen hun- dred dollars .....	1,600.00
First Assistant, one thousand dollars .....	1,000.00
Second Assistant, eight hundred dollars .....	800.00
Clerk, eight hundred dollars....	800.00
Clerk, six hundred dollars.....	600.00

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 4,800.00
**Vote 10—Registration Branch:**

Clerk, nine hundred and sixty dollars .....	960.00
Clerk, seven hundred and twenty dollars .....	720.00
Clerk, six hundred and forty dol- lars .....	640.00
Clerk, five hundred and forty dollars .....	540.00
Carrier, five hundred and forty dollars .....	540.00

 Schedule B—  
(Continued)

Schedule B—	Carrier, five hundred and forty	
(Continued)	dollars .....	540.00
	Carrier, five hundred and forty	
	dollars .....	540.00
	Carrier, five hundred and forty	
	dollars .....	540.00
		<hr/>
		5,020.00

**Vote II—Parcel Post:**

Window Clerk and Cashier,	
twelve hundred dollars.....	1,200.00
Window Clerk, twelve hundred	
dollars .....	1,200.00
Billing Clerk, dutiable, twelve	
hundred dollars .....	1,200.00
Foreign Despatch Clerk, twelve	
hundred dollars .....	1,200.00
Billing Clerk, local, nine hun-	
dred and sixty dollars.....	960.00
Assistant Clerk, local, seven	
hundred and twenty dollars	720.00
Assorter, nine hundred dollars.....	900.00
Assorter, five hundred and forty	
dollars .....	540.00
Clerk, four hundred and eighty	
dollars ..... .....	480.00
Additional Help, three hundred	
dollars ..... .....	300.00
	<hr/>
	8,700.00

**Vote 12—Distribution:**

Overseer G.P.O., eighteen hun-	
dred dollars .....	1,800.00
Senior Clerk, fourteen hundred	
and fifty dollars .....	1,450.00
Senior Clerk, fifteen hundred	
dollars .....	1,500.00
Senior Clerk, fifteen hundred	
dollars .....	1,500.00

Schedule B—  
(Continued)

Senior Clerk, fourteen hundred and fifty dollars .....	1,450.00	
Assorter, fourteen hundred and fifty dollars .....	1,450.00	
Assorter, thirteen hundred dollars .....	1,300.00	
Assorter, thirteen hundred dollars .....	1,300.00	
Assorter, one thousand dollars..	1,000.00	
Assorter, one thousand dollars..	1,000.00	
Assorter, seven hundred and twenty dollars .....	720.00	
Assorter, one thousand dollars..	1,000.00	
Stamp Clerk, nine hundred dollars .....	900.00	
Stamp Clerk, nine hundred dollars .....	900.00	
Assorter, one thousand dollars	1,000.00	
Assorter, one thousand dollars..	1,000.00	
Assorter, nine hundred and sixty dollars .....	960.00	
Clerk, seven hundred dollars.....	700.00	
Clerk, seven hundred and twenty dollars .....	720.00	
Clerk, ten hundred and fifty dollars .....	1,050.00	
Extra Help, two hundred dollars	200.00	
General Delivery Clerk, fourteen hundred and fifty dollars	1,450.00	
Carriers (at least sixteen), eight thousand six hundred and forty dollars .....	8,640.00	
Three Assorters, 1 at \$900, 1 at \$800, 1 at \$700, twenty-four hundred dollars .....	2,400.00	
		35,390.00

**Vote 13—Miscellaneous:**

Fireman and Caretaker, twelve hundred dollars....., .....	1,200.00
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Schedule B— (Continued)	Bag Examiner, seven hundred and eighty dollars.....	780.00
	Watchman, one thousand dollars	1,000.00
	Charwoman, sixteen hundred and twenty dollars .....	1,620.00
	Telephone Exchange, seven hun- dred and twenty dollars.....	720.00
	Orderly, nine hundred and sixty dollars .....	960.00
		<hr/>
		6,280.00

**Vote 14—Travelling Post Office Mail Clerks:**

Superintendent Mail Clerks, eighteen hundred dollars....	1,800.00
One Clerk, twelve hundred and fifty dollars .....	1,250.00
Twelve Clerks, at \$1,100, thir- teen thousand two hundred dollars .....	13,200.00
Ten Clerks at \$1,000, ten thou- sand dollars .....	10,000.00
Eight Clerks at \$900, seven thousand two hundred dollars	7,200.00
Four (for eight months) at \$660, twenty-six hundred and forty dollars .....	2,640.00
Trip Allowances, sixty-five hun- dred dollars .....	6,500.00
Board of Steamship Clerks, three thousand five hundred dollars .....	3,500.00
Winter Work Mail Clerks, one thousand dollars .....	1,000.00
Mail Clerk, Burgeo Service, two hundred and forty dollars....	240.00
Mail Clerk Lewisporte, two hun- dred and forty dollars.....	240.00
Mail Clerk Trinity, two hun- dred and forty dollars.....	240.00
	<hr/>
	47,810.00

**Vote 15—Sydney Branch:**Schedule B—  
(Continued)

Clerk in Charge, fifteen hundred and ninety-six dollars..	1,596.00	
Assorter,, fourteen hundred and fifty-two dollars .....	1,452.00	
Assorter,, fourteen hundred and fifty-two dollars .....	1,452.00	
Assorter, eleven hundred and fifty-eight dollars .....	1,158.00	
Clerk, eleven hundred dollars..	1,100.00	
Janitor, one hundred and twenty dollars .....	120.00	
		6,878.00

**Vote 16—**

Overtime, forty-five hundred dollars .....	4,500.00
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**Vote 17—Salaries Outports:**

To be paid as directed by the Governor-in-Council to outport officials, this sum for salaries, seventy-eight thousand six hundred and forty-seven dollars and ninety-seven cents. ....	78,647.97
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**Vote 18—Labrador Offices—Salaries:**

Three thousand nine hundred and ninety dollars and seventy-four cents .....	3,990.74
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**Vote 18—Couriers:**

Contractors, one hundred and thirty thousand dollars.....	130,000.00
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**Vote 19—Miscellaneous:**

Winter Postal Routes and Camps, two thousand dollars	2,000.00
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Schedule B—  
(Continued)

Manufacture of Stamps, including new issue, twelve thousand dollars .....	12,000.00
Stamping Machines, seven hundred and fifty dollars.....	750.00
Rents, twelve thousand dollars	12,000.00
Uniforms, six thousand five hundred dollars .....	6,500.00
Canvas Bags, fifteen thousand dollars .....	15,000.00
Seals, seven hundred and fifty dollars .....	750.00
Contingencies, forty thousand dollars .....	40,000.00
Fuel and Light, sixteen thousand dollars .....	16,000.00

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 105,000.00
**Vote 20—Steam Subsidies:****Ocean:**

Port aux Basques and N. Sydney, C.B., thirty thousand dollars .....	30,000.00
Occasional Services, four thousand dollars .....	4,000.00
Postal Union, one thousand dollars .....	1,000.00

**Coastal:**

Bay of Islands, eight thousand seven hundred and fifty dollars .....	8,750.00
Bell Island, five thousand dollars .....	5,000.00
Fogo District, twenty-five thousand dollars .....	25,000.00
Labrador, thirty-two thousand dollars .....	32,000.00
North East Coast, Prospero, thirty-five thousand dollars	35,000.00



Schedule B—  
(Continued)

South and West Coast, Portia, forty thousand dollars.....	40,000.00
Port aux Basques and Placentia, Glencoe, forty thousand dol- lars .....	40,000.00
Notre Dame Bay (1 steamer), twenty-five thousand dollars..	25,000.00
Placentia Bay, thirty-five thou- sand dollars .....	35,000.00
Battle Hr. and Humbermouth, thirty-five thousand dollars...	35,000.00
St. George's Bay, seventeen thousand five hundred dollars	17,500.00
Bonavista Bay, twenty-five thou- sand dollars .....	25,000.00
Lewisporte-Cook's Hr., thirty- five thousand dollars .....	35,000.00
Trinity Bay, thirty-five thousand dollars .....	35,000.00
Burgeo, twenty-eight thousand six hundred dollars .....	28,600.00

**Railways:**

General Railways, forty-two thousand dollars .....	42,000.00
Bay de Verde Branch, thirty- eight hundred and twenty- two dollars and fifty cents..	3,822.50
Bonavista Branch, six thousand one hundred and fifty dollars and seventy-five cents.....	6,150.75
Prepassey Branch, six thousand two hundred and eighty-nine dollars and sixty-eight cents	6,289.68
Heart's Content Branch, two thousand nine hundred and eighty-eight dollars and fifty cents .....	2,988.50

Schedule B—	Millertown Branch, five hun-		
(Continued)	dred dollars .....	500.00	
		<hr/>	518,601.43
			<hr/>
			\$1,006,068.14
			<hr/>

## HEAD XI.—TELEGRAPH BRANCH

### Vote 22—Central Staff, St. John's:

Superintendent, twenty-four hundred dollars .....	2,400.00
Deputy Superintendent, eight- een hundred dollars.....	1,800.00
Billing Clerk, nine hundred dollars .....	900.00
Collector, six hundred dollars.....	600.00
Check Clerk, twenty-one hun- dred and sixty dollars.....	2,160.00
Check Clerk Asst., eleven hun- dred dollars .....	1,100.00
Check Clerk Asst., ten hundred dollars .....	1,000.00
Check Clerk Asst., nine hundred dollars .....	900.00
Clerk in Charge Construction and Repairs, eighteen hundred dollars .....	1,800.00
Clerk in Charge Cable and Wire- less, two thousand dollars. ....	2,000.00
Stenographer and Typist, six hundred dollars .....	600.00
Clerk in Charge Telephone, eigh- teen hundred dollars.....	1,800.00
Stenographer and Typist, four hundred and eighty dollars...	480.00
Line Inspector, one thousand dollars .....	1,000.00
	<hr/>
	19,040.00

**Vote 23—Operating Staff:**Schedule B—  
(Continued)

Two Chief Operators at \$1,560, thirty-one hundred and twenty dollars .....	3,120.00
Night Operator, thirteen hun- dred and eighty dollars .....	1,380.00
Six Operators at \$1,080, six thou- sand four hundred and eighty dollars .....	6,480.00
Five Operators at \$1280, six thousand four hundred dollars	6,400.00
Nine Operators at \$1380, twelve thousand four hundred and twenty dollars .....	12,420.00
Operator Rawlins Cross, eight hundred and forty dollars.....	840.00
Delivery and Receiving Clerk, thirteen hundred dollars .....	1,300.00
Delivery and Receiving Clerk, fourteen hundred dollars....	1,400.00
One Clerk, nine hundred dollars	900.00
One Clerk, six hundred and fifty- eight dollars and twenty cents	658.20
Two Clerks at \$600, twelve hun- dred dollars .....	1,200.00
One Clerk, nine hundred dollars	900.00
Three Clerks at \$480, fourteen hundred and forty dollars.....	1,440.00
Two Clerks at \$420, eight hun- dred and forty dollars.....	840.00
Three Clerks at \$360, one thou- sand and eighty dollars.....	1,080.00
Messenger, night four hun- dred and thirty-eight dollars	438.00
Messengers, day, eight thou- sand five hundred and forty dollars .....	8,540.00
Storekeeper, eleven hundred dol- lars .....	1,100.00

Schedule B—	
(Continued)	
Batteryman, ten hundred and eighty dollars .....	1,080.00
Additional Labor (moulder), four hundred and ninety-six dollars .....	496.00
Overtime, four thousand five hundred dollars .....	4,500.00
One Clerk, four hundred and twenty dollars .....	420.00
	<hr/>
	56,932.20

**Vote 24—Operators Outside—Salaries:**

Aguathuna, four hundred and eighty dollars .....	480.00
Anderson's Cove, four hundred and twenty dollars .....	420.00
Argentia, four hundred and eighty dollars .....	480.00
Avondale, four hundred and twenty dollars .....	420.00
Badger, seven hundred and fifty-nine dollars and sixty cents .....	759.60
Badger Assistant, one hundred and eighty dollars.....	180.00
Badger's Quay, six hundred dollars .....	600.00
Baine Harbor, four hundred and twenty dollars .....	420.00
Bay Bulls, four hundred and twenty dollars .....	420.00
Bay de Verde, four hundred and twenty dollars .....	420.00
Bay L'Argent, six hundred dollars .....	600.00
Bay Roberts, four hundred and eighty dollars .....	480.00
Bay Roberts Messenger, one hundred and twenty dollars	120.00

Beaumont, four hundred and eighty dollars .....	480.00
Belleoram, eight hundred and forty dollars .....	840.00
Belleoram Messenger, one hundred and twenty dollars....	120.00
Bell Island, twelve hundred dollars....	1,200.00
Bell Island Messenger, three hundred dollars .....	300.00
Bishop's Falls, nine hundred and sixty dollars.....	960.00
Bishops Falls Messenger, two hundred and four dollars ....	204.00
Blackhead, four hundred and twenty dollars .....	420.00
Bonavista, one thousand and eighty dollars .....	1,080.00
Bonavista Messenger, four hundred and twenty dollars.....	420.00
Bonaventure, New, four hundred and twenty dollars.....	420.00
Bonne Bay, twelve hundred dollars .....	1,200.00
Bonne Bay Assistant, three hundred dollars .....	300.00
Botwood, eight hundred and forty dollars .....	840.00
Botwood Asst., four hundred and twenty dollars .....	420.00
Botwood Asst., two hundred and forty dollars.....	240.00
Branch, four hundred and twenty dollars .....	420.00
Bragg's Island (new office), four hundred and eighty dollars .....	480.00
Brig Bay, four hundred and twenty dollars .....	420.00

Schedule B—  
(Continued)

Schedule B— (Continued)	Brigus, six hundred and sixty dollars .....	660.00
	Brigus Asst., three hundred dollars .....	300.00
	Brigus Junctio seven hundred and eighty dollars .....	780.00
	Britannia Cove five hundred and forty dollars .....	540.00
	British Harbor, six hundred dollars .....	600.00
	Brookfield, four hundred and twenty dollars .....	420.00
	Brunetic, five hundred and forty dollars .....	540.00
	Buchans, one thousand and fifty dollars .....	1,050.00
	Burgeo, one thousand dollars.....	1,000.00
	Burin, one thousand and fifty dollars .....	1,050.00
	Burin Assistant, six hundred dollars .....	600.00
	Burin Messenger, two hundred dollars .....	200.00
	Burlington, seven hundred and sixty dollars .....	760.00
	Burlington Assistant, two hundred dollars .....	200.00
	Burnt Islands, three hundred dollars .....	300.00
	Campbellton, six hundred dollars .....	600.00
	Cape Broyle, four hundred and twenty dollars ....	420.00
	Cape La Hune, five hundred dollars .....	500.00
	Cape Race, five hundred and forty dollars .....	540.00
	Carbonear, nine hundred and forty dollars .....	940.00



Schedule B—  
(Continued)

Carbonear Messenger, one hundred and nine five dollars	195.00
Carmanville, four hundred and twenty dollars	420.00
Catalina, six hundred dollars	600.00
Catalina Messenger, one hundred and twenty dollars	120.00
Change Island, seven hundred and twenty dollars	720.00
Change Islands Messenger, one hundred and twenty dollars	120.00
Clareville, six hundred and sixty dollars	660.00
Clareville Asst., four hundred and eighty dollars	480.00
Clarke's Beach, five hundred and fifty dollars	550.00
Clarke's Beach Messenger, one hundred and two dollars	102.00
Coachman's Cove, four hundred and twenty dollars	420.00
Codroy, five hundred and twenty-eight dollars	528.00
Coley's Point, four hundred and twenty dollars	420.00
Come-by-Chance, nine hundred and thirty-one dollars and eighty cents	931.80
Come-by-Chance Asst., three hundred dollars	300.00
Conception Harbor, five hundred and forty dollars	540.00
Conche, four hundred and eighty dollars	480.00
Conn River, three hundred and ninety dollars	390.00
Cook's Harbor, four hundred and twenty dollars	420.00

Schedule B—	Coomb's Cove, four hundred	
(Continued)	and twenty dollars .....	420.00
	Corner Brook, twelve hundred	
	dollars .....	1,200.00
	Corner Brook Asst., nine hun-	
	dred and sixty dollars.....	960.00
	Corner Brook Asst., nine hun-	
	dred and sixty dollars.....	960.00
	Corner Brook, 2 Messengers, at	
	\$240 each, four hundred and	
	eighty dollars.....	480.00
	Cow Head, four hundred and	
	twenty dollars ....	420.00
	Crabbe's, nine hundred dollars	900.00
	Curling, one thousand and eigh-	
	ty dollars .....	1,080.00
	Curling Asst., seven hundred	
	and twenty dollars .....	720.00
	Curling Messenger, two hun-	
	dred and forty dollars .....	240.00
	Daniel's Harbor, four hundred	
	and twenty dollars .....	420.00
	Deer Lake, thirteen hundred and	
	eighty dollars .....	1,380.00
	Deer Lake Assistant, ten hun-	
	dred and eighty dollars.....	1,080.00
	Deer Lake Asst., eight hundred	
	and forty dollars .....	840.00
	Deer Lake Asst., eight hundred	
	and forty dollars .....	840.00
	Deer Lake, 2 Assistants at \$720,	
	fourteen hundred and forty	
	dollars .....	1,440.00
	Deer Lake Messenger, three	
	hundred dollars.....	300.00
	Dunville, four hundred and	
	twenty dollars .....	420.00
	Elliott's Cove, two hundred	
	and forty dollars .....	240.00

Schedule B—  
(Continued)

English Harbor West, four hundred and twenty dollars ....	420.00
Elliston, six hundred dollars..	600.00
Epworth, four hundred and twenty dollars .....	420.00
Exploits, seven hundred and twenty dollars .....	720.00
Fair Island, four hundred and eighty dollars .....	480.00
Ferryland, four hundred and twenty dollars .....	420.00
Flat Is., four hundred and twenty dollars .....	420.00
Flat Islands, B.B., four hundred and eighty dollars .....	480.00
Flower's Cove, four hundred and twenty dollars .....	420.00
Fischot Island, four hundred and eighty dollars .....	480.00
Fogo, seven hundred and twenty dollars .....	720.00
Fogo Messenger, one hundred and two dollars.....	102.00
Fortune, six hundred dollars..	600.00
Fortune Messenger, one hundred and twenty dollars.....	120.00
Fortune Harbor, four hundred and eighty dollars .....	480.00
Fox Harbor, four hundred and twenty dollars .....	420.00
Fox Island, four hundred and eighty dollars .....	480.00
Freshwater, four hundred and twenty dollars .....	420.00
Gambo, nine hundred dollars....	900.00
Gambo Assistant, seven hundred and fifty dollars.....	750.00
Gambo Second Assistant, one hundred and fifty dollars.....	150.00

Schedule B—	Gander Bay, four hundred and	
(Continued)	eighty dollars . . . . .	480.00
	Garnish, four hundred and	
	twenty dollars . . . . .	420.00
	Gaultois, six hundred dollars.....	600.00
	George's Brook, four hundred	
	and twenty dollars . . . . .	420.00
	Glenwood, six hundred dollars..	600.00
	Glovertown, Alex. Bay, five hun-	
	dred and forty dollars.....	540.00
	Grand Bank, nine hundred and	
	sixty dollars . . . . .	960.00
	Grand Bank Asst., eight hun-	
	dred and forty dollars.....	840.00
	Grand Bank Messenger, two	
	hundred dollars.....	200.00
	Grand Bruit, six hundred dol-	
	lars ..... .	600.00
	Francois, five hundred and forty	
	dollars ..... .	540.00
	Grand Falls, thirteen hundred	
	and eighty dollars.....	1,380.00
	Grand Falls, 4 at \$1200, four	
	thousand eight hundred dol-	
	lars ..... .	4,800.00
	Grand Falls, two at \$240, four	
	hundred and eighty dollars....	480.00
	Grand Falls Janitor, one hun-	
	dred and eighty dollars.....	180.00
	Grate's Cove, four hundred and	
	twenty dollars . . . . .	420.00
	Grand Burin, four hundred and	
	twenty dollars . . . . .	420.00
	Great Harbor, four hundred	
	and twenty dollars . . . . .	420.00
	Green's Harbor, four hundred	
	and twenty dollars . . . . .	420.00
	Greenspond, seven hundred and	

Schedule B—  
(Continued)

fifty-nine dollars and sixty cents .....	759.60
Greenspond Asst., three hundred and sixty-six dollars....	366.00
Griquet, five hundred and forty dollars .....	540.00
Groais Island, four hundred and eighty dollars .....	480.00
Hampden, eight hundred dollars	800.00
Hampden Asst., two hundred and forty dollars.....	240.00
Hant's Harbor, four hundred and twenty dollars.....	420.00
Harbor Breton, twelve hundred dollars .....	1,200.00
Harbor Buffett, six hundred dollars .....	600.00
Harbor Deep, seven hundred and twenty dollars .....	720.00
Harbor Grace, twelve hundred dollars .....	1,200.00
Harbor Grace Assistant, three hundred dollars .....	300.00
Harbor Main, four hundred and twenty dollars .....	420.00
Hare Bay, four hundred and twenty dollars .....	420.00
Haystack, five hundred and forty dollars .....	540.00
Heart's Content, four hundred and eighty dollars .....	480.00
Heart's Delight, five hundred and twenty dollars .....	520.00
Heart's Desire, four hundred and twenty dollars.....	420.00
Hermitage, eight hundred dollars .....	800.00
Hermitage Assistant, six hundred dollars .....	600.00

Schedule B—	Herring Neck, eight hundred	
(Continued)	and forty dollars.....	840.00
	Herring Neck Messenger, twenty dollars .....	20.00
	Hickman's Harbor, four hundred and eighty dollars.....	480.00
	Hillview, three hundred dollars.	300.00
	Hillview, eight hundred and eighty-eight dollars .....	888.00
	Holyrood, C.B., one thousand and eighty dollars .....	1,080.00
	Horse Island, six hundred dollars	600.00
	Horwood, four hundred and twenty dollars .....	420.00
	Howley, seven hundred and twenty dollars .....	720.00
	Humbermouth, six hundred and sixty dollars .....	660.00
	Isle au Morts, three hundred and ninety dollars.....	390.00
	Indian Islands, four hundred and twenty dollars.....	420.00
	Jersey Harbor, four hundred and twenty dollars .....	420.00
	Joe Batt's Arm, four hundred and eighty dollars.....	480.00
	Keels, four hundred and eighty dollars .....	480.00
	King's Cove, four hundred and eighty dollars .....	480.00
	King's Cove Messenger, forty dollars .....	40.00
	King's Point, nine hundred dollars .....	900.00
	Lamaline, six hundred dollars	600.00
	Lamaline Assistant, two hundred and forty dollars.....	240.00
	Lamaline Messenger, one hundred and sixty-two dollars....	162.00



LaScie, four hundred and eighty	480.00
Lawn, four hundred and eighty dollars .....	480.00
Lethbridge, four hundred and eighty dollars.....	480.00
Lewisporte, seven hundred and fifty-nine dollars and sixty cents .....	759.60
Lewisporte Messenger, one hun- dred and two dollars.....	102.00
Little Bay, seven hundred and fifty-nine dollars and sixty cents .....	759.60
Little Bay Island, five hundred and forty dollars.....	540.00
Lomond, four hundred and eighty dollars.....	480.00
Lord's Cove, four hundred and twenty dollars .....	420.00
Lower Island Cove, four hun- dred and eighty dollars.....	480.00
Lumsden, four hundred and eighty dollars.....	480.00
McCallum, five hundred and forty dollars .....	540.00
Manuels, four hundred and twenty dollars .....	420.00
Marystown, nine hundred dol- lars .....	900.00
Marystown Messenger, two hun- dred and forty dollars.....	240.00
Merasheen, four hundred and twenty dollars .....	420.00
Miller's Passage, four hundred and twenty dollars.....	420.00
Millertown, six hundred and seventy-six dollars ....	676.00
Millertown Junction, twelve hundred dollars.....	1,200.00

Schedule B—  
(Continued)

Schedule B—		Millertown Junction Asst., three	
(Continued)		hundred dollars .....	300.00
		Monroe, four hundred and twenty dollars .....	420.00
		Moreton's Hr., five hundred and forty dollars.....	540.00
		Musgrave Hr., five hundred and forty dollars.....	540.00
		Musgrave Town, four hundred and twenty dollars.....	420.00
		New Harbour, five hundred and twenty dollars .....	520.00
		New Melbourne, four hundred and twenty dollars.....	420.00
		New Perlican, four hundred and twenty dollars.....	420.00
		Newtown, six hundred and sixty dollars .....	660.00
		Newtown Messenger, one hundred and twenty dollars....	120.00
		Nipper's Harbor, six hundred dollars .....	600.00
		Norris' Arm, nine hundred dollars .....	900.00
		Norris' Point, four hundred and twenty dollars .....	420.00
		Northern Bay, four hundred and twenty dollars.....	400.00
		North Harbor, four hundred and twenty dollars .....	420.00
		Oderin (new office), four hundred and eighty dollars .....	480.00
		Old Perlican, five hundred and twenty dollars .....	520.00
		Paradise, four hundred and twenty dollars .....	420.00
		Parson's Pond, four hundred and twenty dollars .....	420.00

Schedule B—  
(Continued)

Otter's Point, four hundred and eighty dollars .....	480.00
Pass Island, six hundred dollars	600.00
Petite Forte, four hundred and twenty dollars .....	420.00
Pilley's Island, seven hundred and twenty dollars.....	720.00
Port aux Basques, thirteen hundred dollars .....	1,300.00
Placentia, five hundred and twenty-eight dollars .....	528.00
Point Leamington, five hundred dollars .....	500.00
Pinchard's Island, five hundred and forty dollars.....	540.00
Poole's Cove, nine hundred dollars .....	900.00
Port Albert, ten hundred and eighty dollars.....	1,080.00
Port au Bras, four hundred and twenty dollars .....	420.00
Port aux Choix, four hundred and eighty dollars .....	480.00
Port au Port, six hundred dollars .....	600.00
Port aux Basques Assistant, five hundred and forty dollars.....	540.00
Port aux Basques, Messenger, one hundred and eighty dollars .....	180.00
Port Blandford, six hundred dollars .....	600.00
Port de Grave, four hundred and twenty dollars .....	420.00
Port Rexton, five hundred dollars .....	500.00
Port Saunders, four hundred and eighty dollars .....	480.00

Schedule B—	Port Union, twelve hundred	
(Continued)	dollars .....	1,200.00
	Port Union Asst., four hundred	
	and eighty dollars .....	480.00
	Presque, four hundred and	
	twenty dollars .....	420.00
	Prowsetown, eight hundred and	
	forty dollars .....	840.00
	Ramea, eight hundred and forty	
	dollars .....	840.00
	Ramea Asst., sixty dollars.....	60.00
	Red Island, four hundred and	
	twenty dollars .....	420.00
	Rencontre, four hundred and	
	twenty dollars .....	420.00
	Rencontre West, four hundred	
	and eighty dollars.....	480.00
	Renews, four hundred and twenty	
	dollars ....	420.00
	Riverhead St. Mary's, four hundred	
	and twenty dollars....	420.00
	Robert's Arm, seven hundred	
	and fifty dollars.....	750.00
	Red Island, P.B., four hundred	
	and twenty dollars .....	420.00
	Red Island, Burgeo, four hundred	
	and eighty dollars.....	480.00
	Robinson's Head, four hundred	
	and twenty dollars .....	420.00
	Rocky Harbor, four hundred	
	and twenty dollars .....	420.00
	Safe Harbor, four hundred and	
	eighty dollars .....	480.00
	St. Andrews, eight hundred	
	and forty dollars .....	840.00
	St. Andrew's, Assistant, two	
	hundred and forty dollars.....	240.00
	St. Anthony, nine hundred dollars	
	.....	900.00

Schedule B—  
(Continued)

St. Anthony Messenger, sixty dollars .....	60.00
St. Brendan's, four hundred and eighty dollars .....	480.00
St. Bernard's, four hundred and twenty dollars .....	420.00
St. Bride's, four hundred and twenty dollars .....	420.00
St. George's, eight hundred and forty dollars .....	840.00
St. George's Asst., two hundred and forty dollars.....	240.00
St. Jacques, eleven hundred and fifty dollars .....	1,150.00
St. Jacques Asst., three hundred dollars .....	300.00
St. Joseph's, four hundred and eighty dollars .....	480.00
St. Joseph's Asst., one hundred and twenty dollars .....	120.00
St. Kyran's, four hundred and twenty dollars .....	420.00
St. Lawrence, six hundred dollars .....	600.00
St. Lawrence Messenger, sixty dollars .....	60.00
St. Mary's, four hundred and twenty dollars .....	420.00
St. Vincent, four hundred and twenty dollars .....	420.00
Sagona, five hundred and forty dollars .....	540.00
Salmonier, North Side, four hundred and twenty dollars....	420.00
Salvage, seven hundred and twenty dollars .....	720.00
Sandy Point, four hundred and twenty dollars .....	420.00

Schedule B—	Seal Cove, White Bay, five hundred and eighty dollars.....	580.00
(Continued)	Searston, four hundred and eighty dollars .....	480.00
	Seldom Come By, four hundred and fifty dollars .....	450.00
	Shambler's Cove, four hundred and twenty dollars .....	420.00
	Shoal Harbor, six hundred dollars .....	600.00
	Sound Island, seven hundred and twenty dollars .....	720.00
	Sop's Arm, eight hundred and forty dollars.....	840.00
	Spaniard's Bay, nine hundred and forty dollars.....	940.00
	Spaniard's Bay Messenger, ninety dollars .....	90.00
	Springdale, nine hundred and sixty dollars .....	960.00
	Springdale, Assistant, three hundred dollars .....	300.00
	Spruce Brook, one hundred and twenty dollars .....	120.00
	Stephenville, four hundred and eighty dollars .....	480.00
	Stephenville Crossing, seven hundred and twenty dollars.	720.00
	Stephenville Crossing Assistant, two hundred and forty dollars .....	240.00
	Summerville, four hundred and twenty dollars .....	420.00
	Stone's Cove, four hundred and twenty dollars .....	420.00
	Terra Nova, three hundred dollars .....	300.00
	Tack's Beach, four hundred and twenty dollars .....	420.00



Schedule B—  
(Continued)

Terenceville, nine hundred and sixty dollars .....	960.00
Terenceville Assistant, five hundred and forty dollars.....	540.00
Three Arms, four hundred and twenty dollars .....	420.00
Tilt Cove, four hundred and eighty dollars .....	480.00
Tilting, four hundred and eighty dollars .....	480.00
Topsail, four hundred and twenty dollars .....	420.00
Trepassey, four hundred and twenty dollars .....	420.00
Trinity, six hundred and sixty dollars .....	660.00
Trinity East, four hundred and eighty dollars .....	480.00
Twillingate, ten hundred and eighty dollars .....	1,080.00
Twillingate Messenger, one hundred and eighty dollars....	180.00
Upper Island Cove, four hundred and eighty dollars.....	480.00
Wesleyville, eight hundred and forty dollars .....	840.00
Wesleyville Messenger, one hundred and twenty dollars.....	120.00
Western Bay, four hundred and eighty dollars .....	480.00
Westport, eight hundred dollars	800.00
Westport Asst., two hundred and forty dollars.....	240.00
Whitebourne, nine hundred dollars .....	900.00
Whitbourne Asst., two hundred and forty dollars .....	240.00
Winterton, six hundred dollars	600.00

Schedule B—	Wadham's, four hundred and	
(Continued)	eighty dollars .....	480.00
	Monthly Allowance, Fuel,	
	Light and Office Require-	
	ments, four thousand dollars. —————	4,000.00
		<hr/>
		\$168,792.20
		<hr/>

**Vote 25—Repairers—Salaries:**

Bonne Bay, seven hundred and twenty-four dollars .....	724.00
Badger, seven hundred and twenty-four dollars .....	724.00
Burlington, seven hundred and twenty-four dollars .....	724.00
Clarenville, seven hundred and twenty-four dollars .....	724.00
Come-by-Chance, seven hundred and twenty-four dollars....	724.00
Cow Head, seven hundred and twenty-four dollars .....	724.00
Crabbe's, seven hundred and twenty-four dollars .....	724.00
Curling, seven hundred and twenty-four dollars .....	724.00
Deer Lake, seven hundred and twenty-four dollars.....	724.00
Fogo, seven hundred and twen- ty-four dollars .....	724.00
Gaff Topsail, seven hundred and twenty-four dollars .....	724.00
Gambo, seven hundred and twenty-four dollars.....	724.00
Gambo Branch, seven hundred and twenty-four dollars ....	724.00
Glenwood, seven hundred and twenty-four dollars .....	724.00
Harbor Breton, seven hundred and twenty-four dollars.....	724.00

Schedule B—  
(Continued)

Harbor Grace, seven hundred and twenty-four dollars .....	724.00
Hermitage Cove, seven hundred and twenty-four dollars....	724.00
Holyrood, seven hundred and twenty-four dollars ....	724.00
Flower's Cove, seven hundred and twenty-four dollars.....	724.00
Long Harbour, seven hundred and twenty-four dollars.....	724.00
Placentia, four hundred and twenty dollars .....	420.00
Norris' Arm, seven hundred and twenty-four dollars	724.00
Millertown Junction, seven hundred and twenty-four dollars..	724.00
Point Leamington, seven hundred and twenty-four dollars	724.00
Port Albert, seven hundred and twenty-four dollars .....	724.00
Port aux Basques, seven hundred and twenty-four dollars	724.00
Port Blandford, seven hundred and twenty-four dollars.....	724.00
Portugal Cove South, one hundred and twenty dollars...	120.00
Port Saunders, seven hundred and twenty-four dollars ....	724.00
Robert's Arm, seven hundred and twenty-four dollars ....	724.00
St. Andrew's, seven hundred and twenty-four dollars.....	724.00
* St. George's, seven hundred and twenty-four dollars ....	724.00
St. John's, nine hundred and sixty dollars .....	960.00
St. Vincent, two hundred and eighty-eight dollars .....	288.00
Salvage, five hundred dollars.....	500.00

Schedule B— Seal Cove, one hundred and (Continued) fifty dollars .....		150.00	
Sound Island, seven hundred and twenty-four dollars ....		724.00	
Springdale, seven hundred and twenty-four dollars .....		724.00	
Terrenceville (two), fourteen hundred and forty-eight dol- lars .....		1,448.00	
Trepassey, four hundred and thirty-two dollars .....		432.00	
Trinity, seven hundred and twenty-four dollars .....		724.00	
Wesleyville, seven hundred and twenty-four dollars .....		724.00	
Pool's Cove, seven hundred and twenty-four dollars.....		724.00	
Whitbourne, seven hundred and twenty-four dollars.....		724.00	
		<hr/>	30,382.00

**Vote 26—General Maintenance:**

General Maintenance, forty thousand dollars ....	<hr/>	40,000.00
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**Vote 27—Capital Account Repairs:**

Maine Line Repairs, thirty thou- sand dollars .....	30,000.00	
Branch Line Repairs, thirty thousand dollars .....	30,000.00	
	<hr/>	60,000.00

**Vote 28—Cable Tolls:**

Anglo-American Telegraph Co., Imperial Cable and Commer- cial Cable Co's., twelve thou- sand dollars .....	<hr/>	12,000.00
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**Vote 29—Telephones:**Schedule B—  
(Continued)

## Salaries and Upkeep Outport

Telephones, seventeen thousand dollars .....

17,000.00

**Vote 30—Wireless:**

## Marconi Royalties, twenty thousand dollars .....

20,000.00

**Vote 31—Public Despatch:**

## Public Despatch, three thousand

five hundred dollars.....

3,500.00

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 -\$431,827.40
 

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## HEAD XXJ.—DEPARTMENT OF CUSTOMS A.

**St. John's (Inside)—Salaries:**

## Deputy Minister, thirty-six hundred dollars ....

3,600.00

## Collector of Customs, St. John's,

thirty-four hundred dollars..

3,400.00

## Inspecting Auditor, three thousand dollars ...

3,000.00

## First Clerk and Accountant,

twenty-one hundred and sixty

dollars .....

2,160.00

## Assistant Accountant, two thousand dollars .....

2,000.00

## Second Clerk and Cashier, twenty-one hundred dollars ....

2,100.00

## Third Clerk, eighteen hundred

dollars ....

1,800.00

## Fourth Clerk, fourteen hundred

and fifty dollars .....

1,450.00

## Fifth Clerk, ten hundred and

twenty dollars .....

1,020.00

Schedule B—	Clerk, twelve hundred dollars..	1,200.00
(Continued)	Warehouse Keeper, eighteen hundred dollars .....	1,800.00
	<b>First Landing Waiter, thirteen hundred and fifty dollars</b>	<b>1,350.00</b>
	<b>Second Landing Waiter, thirteen hundred and fifty dollars</b>	<b>1,350.00</b>
	Railway and Manifest Clerk, thirteen hundred and fifty dollars .....	1,350.00
	Landing Surveyor, two thousand four hundred dollars.....	2,400.00
	Shipping Clerk, fifteen hundred dollars .....	1,500.00
	Tide Surveyor, twenty-four hundred dollars .....	2,400.00
	Examiner Of Outport Invoices, eighteen hundred dollars.....	1,800.00
	Asst. Clerk to Landing Surveyor, thirteen hundred dollars	1,300.00
	Chief Statistical Clerk, seventeen hundred and twenty-eight dollars .....	1,728.00
	Special Statistical Clerk, sixteen hundred dollars .....	1,600.00
	<b>First Statistical Clerk, sixteen hundred dollars .....</b>	<b>1,600.00</b>
	<b>Second Statistical Clerk, fifteen hundred dollars .....</b>	<b>1,500.00</b>
	<b>Third Statistical Clerk, fourteen hundred and fifty dollars .....</b>	<b>1,450.00</b>
	<b>Fourth Statistical Clerk, fourteen hundred and forty dollars .....</b>	<b>1,440.00</b>
	<b>Fifth Statistical Clerk, fourteen hundred and forty dollars...</b>	<b>1,440.00</b>
	<b>Sixth Statistical Clerk, fourteen hundred and forty dollars...</b>	<b>1,440.00</b>



Schedule B—  
(Continued)

Inspector of Customs, twenty-four hundred dollars.....	2,400.00
First Typist and Secretary to D.M.C., twelve hundred dollars . . . . .	1,200.00
Second Typist, six hundred dollars . . . . .	600.00
Inspector of Preventive Service, seventeen hundred and twenty-eight dollars . . . . .	1,728.00
Clerk to Registrar of Shipping, twenty-four hundred dollars..	2,400.00
Clerk and Surveyor of Shipping, fifteen hundred dollars.....	1,500.00
Chief Appraiser, two thousand four hundred dollars.....	2,400.00
Assistant Examining Officer, sixteen hundred dollars . . .	1,600.00
Examining Officer Post Office, sixteen hundred dollars.....	1,600.00
Clerk to Examining Officer Post Office, ten hundred and fifty dollars .....	1,050.00
Clerk to Examining Officer Post Office, nine hundred dollars.....	900.00
Storekeeper, twelve hundred dollars . . . . .	1,200.00
Outport Appraiser, fourteen hundred dollars . . . . .	1,400.00
Third Storekeeper, eleven hundred and fifty dollars and fifty cents . . . . .	1,150.50
Locker, twelve hundred dollars	1,200.00
First Asst. Locker, twelve hundred dollars . . . . .	1,200.00
Second Assistant Locker, eleven hundred and fifty dollars and fifty cents . . . . .	1,150.50

Schedule B—  
(Continued)

Third Assistant Locker, eleven hundred and fifty dollars and fifty cents .....	1,150.50
Fourth Assistant Locker, eleven hundred and fifty dollars and fifty cents .....	1,150.50
First Messenger, eleven hundred and fifty dollars and fifty cents .....	1,150.50
Second Messenger, eleven hundred and fifty dollars and fifty cents .....	1,150.50
Third Messenger, eleven hundred and fifty dollars and fifty cents .....	1,150.50
Night Watchman, seven hundred and seventy-two dollars	772.00
Housekeeper, six hundred and fifty dollars .....	650.00
	<hr/>

81,031.50

#### Gaugers, Tidewaiters and Boatmen:

##### Salaries, Outside:

Customs Detective, twelve hundred dollars .....	1,200.00
One Gauger, one thousand dollars .....	1,000.00
One Sufferance Warehouse Keeper, twelve hundred dollars .....	1,200.00
Forty-seven Sufferance Warehouse Keepers and Tidewaiters at \$1150.50, fifty-four thousand and seventy-three dollars and fifty cents .....	54,073.50
Supernumerary Tidewaiters, twenty-five hundred dollars	2,500.00

Two Coxswains of Boats, Night Cox. \$1,200, Day Cox. \$1,200, twenty-four hundred dollars	2,400.00
Seven Boatmen at \$1,000 each, seven thousand dollars .....	7,000.00
Two Motor Enineers at \$1120 each, twenty-two hundred and forty dollars .....	2,240.00

Schedule B—  
(Continued)

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71,613.50

### Contingencies (St. John's):

Printing, Stationery, etc., eight thousand dollars.....	8,000.00
Excise Printing Stamps, etc., forty-five hundred dollars....	4,500.00
Fuel and Light, eight hundred dollars .....	800.00
Travelling Expenses, sixteen hundred dollars .....	1,600.00
Clothing, three thousand five hundred dollars .....	3,500.00
Repairs to Boats, four hundred dollars .... .	400.00
Fireman and Cleaning Examin- ing Room, one hundred and fifty dollars .....	150.00
Telegrams and Telephones, nine hundred dollars .....	900.00
Miscellaneous, ten thousand dol- lars .....	10,000.00
Loss on change, one hundred dollars .....	100.00

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29,950.00

### Outport Collectors—Salaries:

Aguathuna, fourteen hundred dollars .....	1,400.00
Argentia, fifteen hundred dol- lars .... .	1,500.00

Schedule B—	Avondale, five hundred dollars	500.00
(Continued)	Badger, eleven hundred and twenty-five dollars.....	1,125.00
	Bay Bulls, six hundred and fifty-eight dollars....	658.00
	Bay L Argent, one hundred and sixty-three dollars ....	163.00
	Bay Roberts, one thousand dol- lars.. . . . .	1,000.00
	Belleoram, fourteen hundred dollars .....	1,400.00
	Bell Island, sixteen hundred and twenty dollars .....	1,620.00
	Bishop's Falls, twelve hundred and sixty dollars .....	1,260.00
	Bonavista, thirteen hundred dol- lars .....	1,300.00
	Bonne Bay, thirteen hundred dollars....	1,300.00
	Botwood, twelve hundred and thirty dollars....	1,230.00
	Brigus, eleven hundred and thirty dollars ....	1,130.00
	Buchans, sixteen hundred and twenty dollars .....	1,620.00
	Burin, fifteen hundred dollars	1,500.00
	Burgeo, thirteen hundred dol- lars....	1,300.00
	Cape Broyle, eight hundred and twenty-five dollars.. . . .	825.00
	Carbonear, fifteen hundred dol- lars ....	1,500.00
	Cartwright, thirteen hundred dollars ....	1,300.00
	Change Islands, one thousand and fifty dollars.....	1,050.00
	Channel, eleven hundred dollars	1,100.00
	Clareville, twelve hundred dol- lars .....	1,200.00

Schedule B—  
(Continued)

Codroy, six hundred and sixty dollars . . . . .	660.00
Conception Harbor, three hundred and thirty dollars....	330.00
Corner Brook, sixteen hundred and twenty dollars.....	1,620.00
Curling, fourteen hundred dollars . . . . .	1,400.00
Deer Lake, fifteen hundred dollars .....	1,500.00
Exploits, one thousand dollars	1,000.00
English Harbour West, nine hundred dollars.... ..	900.00
Ferryland, seven hundred and ten dollars.... ..	710.00
Flower's Cove, eight hundred and seventy-one dollars.....	871.00
Fogo, thirteen hundred dollars	1,300.00
Fortune, eleven hundred dollars	1,100.00
Forteau, twelve hundred and seventy dollars .....	1,270.00
Glovertown, nine hundred dollars .....	900.00
Garnish, four hundred dollars.....	400.00
Gaultois, nine hundred and eighty dollars . . . . .	980.00
Grand Bank, eleven hundred dollars . . . . .	1,100.00
Grand Falls, sixteen hundred and twenty dollars.....	1,620.00
Glenwood, one hundred and forty-six dollars . . . . .	146.00
Greenspond, thirteen hundred dollars . . . . .	1,300.00
Hampden, thirteen hundred dollars .....	1,300.00
Hant's Harbor, one hundred and twenty dollars.....	120.00

Schedule B— Harbor Breton, three hundred (Continued) and sixty-two dollars and fifty cents .....	362.50
Harbor Buffett, eleven hundred dollars.....	1,100.00
Harbor Grace, sixteen hundred and twenty dollars.....	1,620.00
Harbor Grace Assistant, one thousand two hundred dollars	1,200.00
Harbor Main, three hundred and thirty-five dollars .....	335.00
Heart's Content, nine hundred and fifty dollars.....	950.00
Herring Neck, four hundred and thirty dollars....	430.00
Hermitage, six hundred and fifty dollars ....	650.00
Holyrood, two hundred and eighty-five dollars ....	285.00
Humbermouth, eleven hundred and fifty dollars....	1,150.00
Labrador, eleven hundred and fifty dollars .....	1,150.00
Lamaline, eleven hundred and fifty dollars ....	1,150.00
LaPoile, eight hundred and fifty dollars ....	850.00
LaScie, four hundred and sixty dollars ....	460.00
Lawn, eight hundred and twenty- five dollars ....	825.00
Lewisporte, twelve hundred dol- lars .....	1,200.00
Little Bay Islands, one thou- sand dollars ....	1,000.00
Lomond, seven hundred dollars	700.00
Marystown, thirteen hundred and fifty dollars .....	1,350.00



Schedule B—  
(Continued)

Millertown, thirteen hundred and sixty-five dollars.....	1,365.00
Nipper's Harbor, five hundred dollars.... .	500.00
Norris' Arm, six hundred dol- lars.... .	600.00
Oderin, eight hundred and fifty dollars .... .	850.00
Old Perlican, five hundred dol- lars .....	500.00
Pass Island, one hundred and fifty dollars .....	150.00
Placentia, twelve hundred dol- lars .....	1,200.00
Port-aux-Basques, fifteen hun- dred dollars .... .	1,500.00
Clerk to Sub-Collector, eleven hundred and fifty-one dollars	1,151.00
Port Blandford, five hundred dollars .....	500.00
Port au Port, twelve hundred dollars .... .	1,200.00
Port Rexton, three hundred and fifty dollars .... .	350.00
Port Saunders, one thousand dollars .... .	1,000.00
Port Union, six hundred dollars	600.00
Presque, two hundred and fifty- five dollars .... .	255.00
Pushthrough, seven hundred dollars .... .	700.00
Ramea, nine hundred and eighty dollars.... .	980.00
Rencontre West, five hundred dollars .....	500.00
Rencontre East, two hundred dollars .....	200.00
Robinson's Head, eight hundred dollars.... .	800.00

Schedule B—	Renews, six hundred dollars.....	600.00
(Continued)	Rose Blanche, eleven hundred and fifty dollars ..... ..	1,150.00
	Rigolet, eleven hundred and fifty dollars ..... ..	1,150.00
	Salmonier, five hundred dollars	500.00
	Salvage, forty dollars.... ..	40.00
	Sandy Point, twelve hundred and ten dollars.... ..	1,210.00
	St. Anthony, seven hundred and fifty dollars ..... ..	750.00
	St. Andrew's, eight hundred dollars ..... ..	800.00
	St. George's, twelve hundred dollars ..... ..	1,200.00
	St. Jacques, ten hundred dollars	1,000.00
	St. Lawrence, nine hundred dol- lars ..... ..	900.00
	St. Mary's, one hundred and twenty dollars.....	120.00
	Sound Island, five hundred and thirty dollars ..... ..	530.00
	Spaniard's Bay, eight hundred and thirty-nine dollars....	839.00
	Springdale, one thousand dol- lars ..... ..	1,000.00
	Stone's Cove, two hundred dol- lars .....	200.00
	Stephenville Crossing, twelve hundred dollars .....	1,200.00
	Straits of Belle Isle, nine hun- dred dollars ..... ..	900.00
	Trepassey, six hundred and fifty dollars.... ..	650.00
	Trinity, one thousand dollars..	1,000.00
	Twillingate, twelve hundred and fifty dollars.... ..	1,250.00
	Wesleyville, five hundred dol- lars ..... ..	500.00

Schedule B—  
(Continued)

Western Bay, two hundred and forty-five dollars . . . . .	245.00	
Whitbourne, two hundred dol- lars . . . . .	200.00	
Wood's Island, twelve hundred dollars . . . . .	1,200.00	
St. Alban's, one hundred and fifty dollars . . . . .	150.00	
St. Bernard's one hundred dol- lars . . . . .	100.00	
	<hr/>	98,560.50

**Sub-Collectors:**

Crabbe's, eighty dollars . . . . .	80.00	
Flat Island, P.B., five hundred dollars . . . . .	500.00	
Isle aux Morte, three hundred dollars . . . . .	300.00	
Kelligrews, seven hundred and fifty dollars . . . . .	750.00	
Lord's Cove, two hundred and forty-four dollars . . . . .	244.00	
Lorries, three hundred and nine- ty dollars . . . . .	390.00	
Lark Harbor, six hundred dol- lars . . . . .	600.00	
King's Cove, two hundred and fifty dollars . . . . .	250.00	
	<hr/>	3,114.00

**Tidewaiters and Boatmen—**

Argentia, one man, eight hun- dred and twenty-four dollars	824.00
Bell Island, four men at \$950.00, thirty-eight hundred dollars.....	3,800.00
Belleoram, one man, one thou- sand dollars . . . . .	1,000.00
Bonavista, two men at \$550, eleven hundred dollars.....	1,100.00

Schedule B— (Continued)	Bonne Bay, one man, eight hundred and twenty-four dollars	824.00
	Burgeo, one man, five hundred and twenty-seven dollars .....	527.00
	Burin, two men, one at \$824, and one at \$761, fifteen hundred and eighty-five dollars	1,585.00
	Botwood, two men, one at \$824, and one at \$845, sixteen hundred and sixty-nine dollars	1,669.00
	Cape St. George, one man, six hundred and fifty-eight dollars ....	658.00
	Carbonear, three men, two at \$1,125, one at \$507, twenty-seven hundred and fifty-seven dollars .....	2,757.00
	Catalina, one man, six hundred and fifty-eight dollars .....	658.00
	Channel, one man, seven hundred and sixty-one dollars..	761.00
	Corner Brook, five men at \$824, forty-one hundred and twenty dollars .....	4,120.00
	Curling, two men at \$824 each sixteen hundred and forty-eight dollars .....	1,648.00
	Fortune, one man, six hundred dollars .....	600.00
	Grand Bank, two men, one at \$780, one at \$800, fifteen hundred and eighty dollars.....	1,580.00
	Grand Falls, one man, twelve hundred dollars ....	1,200.00
	Greenspond, one man, three hundred and sixty-six dollars..	366.00
	Harbor Breton, one man, five hundred dollars .....	500.00

Schedule B—  
(Continued)

Harbour Grace, four men, one at \$720, one at \$761, one at \$660, one at \$476, twenty-six hundred and seventeen dollars....	2,617.00	
Lamaline, two men at \$824, sixteen hundred and forty-eight dollars .....	1,648.00	
Marystown, one man, eight hundred and twenty-four dollars .....	824.00	
Oderin, one man, one hundred and forty-six dollars .....	146.00	
Port aux Basques, four men, one at \$999, and three at \$824, thirty-four hundred and seventy-one dollars .....	3,471.00	
Rose Blanche, one man, eight hundred and twenty-four dollars .....	824.00	
St. Lawrence, one man, five hundred and forty-nine dollars .....	549.00	
Sandy Point, one man, six hundred and fifty-five dollars....	655.00	
Wood's Island, one man, five hundred and twenty-seven dollars .....	527.00	
Outport Supernumeraries, ten thousand dollars.....	10,000.00	
		47,438.00

**Boats and Boat Hire:**

Boats and Boat Hire, three thousand dollars.....	3,000.00
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**Offices and Office Rent:**

Repairs to Offices and Furniture, ten hundred dollars.....	1,000.00
--	----------

## Schedule B— Rent of Offices, four thousand

(Continued) dollars ..... 4,000.00

5,000.00

**Percentage on Duties:**

Estimated Amount, fifteen

hundred dollars ..... 1,500.00

**Contingencies:**

Clothing, thirty-two hundred

dollars ..... 3,200.00

Fuel and Light, four thousand

dollars ..... 4,000.00

Telegrams and Postage, nine

hundred dollars ..... 900.00

Travelling Expenses, five thou-

sand dollars ..... 5,000.00

Board Money, four hundred dol-

lars ..... 400.00

Miscellaneous, fifteen hundred

dollars ..... 1,500.00

Survey of Labrador Vessels,

eight hundred dollars ..... 800.00

15,800.00

**Preventive Service:**

Outport Tidewaiters, two thous-

and dollars ..... 2,000.00

Board of Tidewaiters, two thou-

sand dollars ..... 2,000.00

Travelling Expenses, two thou-

sand dollars ..... 2,000.00

Stationery, fifty dollars ..... 50.00

Protection of Revenue Service,

West Coast, forty-two thou-

sand dollars ..... 42,000.00

48,050.00



**Miscellaneous:**Schedule B—  
(Continued)

Bank Fishermen's Insurance, one thousand dollars.....	1,000.00	
Fines and Forfeitures, two thou- sand dollars.....	2,000.00	
Percentage on Outport Light Dues, two thousand dollars..	2,000.00	
Surveying of Coastwise Passen- ger Steamers, two hundred dollars .....	200.00	
	<hr/>	5,200.00

**Coal and Water Refunds:**

St. John's Coal Duties, sixty- five thousand dollars .....	65,000.00	
St. John's Water Rates, three thousand dollars .....	3,000.00	
	<hr/>	68,000.00

Harbor Grace Coal Duties, twen- ty-five hundred and fifty dol- lars .....	2,550.00	
Harbor Grace Water Rates, four hundred and fifty dollars..	450.00	
	<hr/>	3,000.00

Carbonear Coal Duties, fifteen hundred dollars .....	1,500.00	
Carbonear Water Rates, five hundred dollars ....	500.00	
	<hr/>	2,000.00

Placentia Coal Duties, five hun- dred dollars .....	500.00	
Placentia Water Rates, two hun- dred dollars .....	200.00	
	<hr/>	700.00

Schedule B— **Customs Refunds:**  
(Continued)

Required for Refunds and Re-	
bates, seventy-five thousand	
dollars .....	75,000.00
	<hr/>
	\$558,957.50
	<hr/>

## HEAD II.—ASSESSOR OF TAXES

### Salaries:

The Assessor, thirty-six hundred	
dollars .....	3,600.00
Accountant and Cashier, twenty-	
two hundred dollars.....	2,200.00
Travelling Auditor, eighteen	
hundred dollars .....	1,800.00
First Clerk, eighteen hundred	
dollars .....	1,800.00
Second Clerk, one thousand dol-	
lars .....	1,000.00
Typist and Stenographer, seven	
hundred and twenty dollars.....	720.00
	<hr/>
	11,120.00

### Contingencies:

Arbitration, Legal and other	
fees, Stationery, Telegrams,	
Postage and Telephone, Sun-	
dries including travelling	
expenses .....	4,000.00
	<hr/>
	\$15,120.00
	<hr/>

## HEAD II.—DEPARTMENT PENSION BOARD COMMISSIONERS

Schedule B—  
(Continued)

### CIVIL GOVERNMENT

#### Salaries:

Chairman of Board, seventeen hundred and eighty dollars..	1,789.00
Commissioners (2) at \$750, fifteen hundred dollars .....	1,500.00
Secretary and Accountant, twenty-seven hundred dollars	2,700.00
First Clerk, seventeen hundred and fifty dollars .....	1,750.00
Second Clerk, sixteen hundred dollars .....	1,600.00
Third Clerk, sixteen hundred dollars .....	1,600.00
Filing Clerk, one thousand dollars .....	1,000.00
Assistant Filing Clerk and Messenger, nine hundred dollars	900.00
Clerk and Stenographer, one thousand dollars .....	1,000.00
Stenographer and Typist, seven hundred and twenty dollars..	720.00
	14,550.00

## HEAD III.—DEPT. PENSION BOARD COMMISSIONERS

#### Pensions:

- (a) Military, four hundred and ninety-five thousand dollars.. 495,000.00
- (b) Newfoundland and part R.N.R., forty-eight thousand dollars... 48,00.00

Schedule B— (Continued)	(e) Marine, thirty-two thousand dollars .....	32,000.00
	(d) Imperial part, R.N.R., five thousand dollars .....	5,000.00
	(e) Forestry, eight thousand five hundred dollars .....	8,500.00
	(f) Imperial, six thousand dol- lars .....	6,000.00
	Medical Examinations, four thousand dollars ....	4,000.00
	Medical Attendance and Appli- ances, sixteen thousand dollars	16,000.00
	Transportation, six thousand dol- lars .....	6,000.00
	Board and Messing, fifteen hundred dollars ....	1,500.00
	Incidental Canadian Expenses, five hundred dollars.....	500.00
	Incidental Imperial Expenses, one thousand dollars .....	1,000.00
	(a) Office Equipment.....	
	(b) Telegrams .....	
	(c) Printing and Stationery.....	
	(d) Advertising .....	
	(e) Incidentals .....	
	twenty-five thousand dollars..	25,000.00

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 626,000.00











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